Wagner, Louise Wagner, Tracy Wagner, Gwendolyn Wagner, Leslie Wagner, and David Wagner; to the Committee on the Judiciary.

By Mr. D'AMOURS:

H.R. 10000. A bill for the relief of Albert J. Dunbrack; to the Committee on the Judiciary.

By Mr. DAN DANIEL:

H.R. 10001. A bill for the relief of John W. Wilson; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

243. By the SPEAKER: Petition of the board of county commissioners, Collier County, Fla., relative to the printing of ballots in foreign languages; to the Committee on House Administration.

244. Also, petition of the board of county commissioners, Collier County, Fla., relative to allowing residents to remain in the Big Cypress purchase area; to the Committee on Interior and Insular Affairs.

245. Also, petition of the board of county commissioners, Collier County, Fla., relative to foreign assistance; to the Committee on International Relations.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 8603

By Mr. COHEN:

Page 23, line 16, strike out the quotation mark and the period immediately after the quotation mark.

Page 23, immediately after line 16, insert the following:

"(e) In the administration of this section, any organization or association—

"(1) which is not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual; and

"(2) which is engaged in the harvesting of marine resources;

shall be considered an agricultural organization or association for purposes of former section 4358(j)(2) and former section 4554(b)(1)(B) of this title.".

EXTENSIONS OF REMARKS

AN ORDERLY PROCESS FOR RAIL REORGANIZATION

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. ESCH. Mr. Speaker, the Nation has embarked on the most massive industrial reorganization in history with the reorganization of the bankrupt railroads of the Northeast and Midwest. The reorganization will affect thousands of industries and shippers; it will have a significant impact on the growth patterns of communities and industries; it will determine whether thousands of individuals will have jobs; it will shape the transportation system of this area for the next decade and beyond.

In short, Mr. Speaker, the reorganization of the bankrupt railroads of the Northeast and Midwest is one of the major questions which will be decided by the Congress over the next few months. Yet the procedures under which we will consider this reorganization are established in such a way as to make rational consideration of the problem almost impossible.

When we approved the Regional Rail Reorganization Act of 1973—RRRA—Congress intended for the U.S. Railway Association to present to us a final plan on which we could then make a final determination as to whether it was appropriate. However, because of the ambiguous nature of the final system plan which the USRA sent to the Congress we will not, in fact, know what kind of a rail system we are going to get until after the FSP has been approved.

Under present law, the Congress must reject the final system plan by mid-November or it automatically goes into effect. The FSP, however, is not one plan—but two options which are radically different in concept. The preferred plan—ConRail/Chessie—is based on the acquisition of major portions of the bankrupt railroads by the Chessie System. The fall-back plan—Unified Conrail—is a massive noncompetitive, Government-financed railroad which would absorb all the bankrupts in the area being reorganized under the RRRA. One plan calls for a system of competition; the other is clearly a Government-subsidized monopoly. If we follow present procedures, Congress will have no idea which of these two greatly divergent plans will come into being, because the Chessie is not required to make its decision on whether to acquire the bankrupt lines which are vital to the plan until 30 days after the FSP is scheduled to go into effect.

Many of us are greatly concerned about the question of branch line abandonments. In Michigan, for example, the FSP calls for the State to lose more than 1,100 miles of railroad line. This is a serious matter for Michigan; other States are similarly concerned. There are at least a dozen different major proposals pending before the Commerce Committee on the branch line abandonment question. Further there are dozens of other sensitive, and explosive rail issues involved in the final system plan.

Even if the House were to stick to the optimistic schedule now outlined by the Commerce Committee which would bring legislation to the floor in early November, it is absolutely clear that the Senate will not meet the same accelerated schedule. The Senate Subcommittee on Transportation of the Senate Commerce Committee has scheduled hearings to begin October 21 on a yet unwritten omnibus rail proposal. It is literally impossible for the Senate subcommittee to finish its own markup, obtain full committee approval and floor consideration by mid-November. Then, remember, a House-Senate conference committee must meet and decide many extremely controversial issues and the President must sign the entire package into law.

While all of us believe that there will be some compromise on the question of abandonments which will allow for a system of Government subsidies, the facts are that we simply will not know the size, shape, and scope of the program—or whether, in fact, there will be a program—by the date the FSP is made effective. I am not willing to let hundreds of Michigan communities, and hundreds of Michigan shippers, and thousands of Michigan workers take a chance on the adoption of the FSP before I know what the implementing legislation is going to be in vital areas such as abandonment policy. I cannot believe that any Member of Congress from the Northeast and Midwest is willing to let this plan go into effect until there is some real predictability about what is going to happen to those rail lines which the USRA felt were nonessential. A good number of us believe that many of those lines are, in fact, essential and I, for one, am not willing to see the FSP go into effect while they are left hanging. The shippers and the communities have a right to some predictability as to their future transportation service.

Not only would automatic approval of the FSP leave unresolved the key questions of whether or not there will be a competitive rail system in the Northeast and how branch lines will be treated, but we are also totally in the dark as to the whole financial base of this incredibly complex reorganization. The USRA has made recommendations for additional funds; Chairman ROONEY and ranking minority member SKUBITZ have come forward with a somewhat different plan which may not be acceptable to the administration; on the Senate side they are working with several varying concepts; the financial community has cast serious doubts on the USRA figures; the railroad creditors claim the Government has vastly undervalued the property and will sue regardless of what Congress does; the Chessie and other acquiring railroads are demanding deficiency judgment protection written into law if they are to make the enormous investment in new lines called for in the FSP.

Billions of dollars are at stake.

As I indicated while discussing the branch line question—there simply is not one chance in a thousand that these extremely complex financial questions will be settled prior to mid-November. Mr. Speaker, if we are to be completely honest about this rail reorganization, we will have to admit that it is probable that the system which we create will be a constant drain on the Federal Treasury for the forseeable future. I, for one, want to know just what the financial structure is going to be—and what the future liability of the Government is likely to amount to—before I am willing to allow the plan to go into effect.

The problems and complications of the final system plan and the rail crisis which is facing the Congress must be addressed. The primary problem now is

that the whole decision is scheduled to take place before we know what we are deciding on. This is absolutely absurd.

I am therefore introducing legislation today which would straighten out the procedure under which this rail reorganization will be approved by Congress. This bill is neutral as to whether the final system plan is ultimately accepted or rejected. It is designed to assure that the issue will be decided in an orderly process which will recognize that the final decision cannot be made until the key rail issues have been resolved.

My bill will amend the language of the Rail Reorganization Act of 1973 to provide that the decision of the Congress on the acceptance or rejection of the final system plan will take place 120 legislative days following its submission to us. This will add 2 months to the time we have to consider this extremely complex issue. During that time, if present schedules are adhered to—and there is every reason to believe that the Commerce Committee is intent on moving this legislation just as speedily as it can responsibly do so—implementing amendments to the RRRA will have been considered by both the House and the Senate and will have been signed into law. I am confident that, at the end of that period of time, we will know what decision has been made with regard to branchline abandonments—we will know what future financial commitments have been made—and we can make a rational decision on the future of transportation in the Northeast.

My bill will also amend the Regional Rail Reorganization Act of 1973 to require that profitable railroads certify their decision as to whether to purchase portions of the bankrupt lines 90 calendar days after the submission of the final system plan. This is, in fact, precisely the period of time during which they must make their decision under the present law. However, under my amendment, this date would fall prior to, rather than following, the final decision on acceptance or rejection of the entire final system plan. In light of the radical difference which these decisions will make on the future of rail transportation in the region, it seems essential that we know whether the profitable railroads are going to extend their operations into the region. The entire nature of competition in the region depends on the decision of the Chessie; the Southern Railroad has indicated serious reservations about the purchase of lines which will provide service in the entire Delmarva region; the Grand Trunk Western and the Detroit, Toledo & Ironton are considering acquisitions which will make a major difference to the future of rail service in Michigan.

I am aware that these railroads are greatly concerned about the question of deficiency judgments against them if the creditors of the previous bankrupt railroads do not feel that they have been adequately compensated. I believe that the Congress will have made a decision with regard to this question prior to the date when certification will be required. While one cannot bind the Congress to a schedule by legislation, it is clearly the intention of the Commerce Committee to take action on this question prior to the date of decision. If it has not completed action, I believe it would be perfectly proper for the profitable railroads to make their certification contingent upon the subsequent passage of deficiency judgment legislation.

Once the Chessie and other railroads have made their decision, the nature of competition in the Northeast will become clear. We will know, when we must make a decision on the final system plan 30 days later, whether there is to be a competitive, at least partially private system, or whether we are facing a massive, unified ConRail that is, for all intents and purposes, the beginning of a nationalized rail system.

Mr. Speaker, I feel very strongly that the Congress should not make this incredibly important decision until all the factors are fully understood. I believe my bill will provide an orderly procedure which will allow us to make the decision in the most rational manner.

I am aware, Mr. Speaker, that there are forces within the administration and the USRA which will strongly oppose this bill. They favor letting the final system plan slip silently into effect without an up-or-down vote by the Congress. They hope to let it slide into being before the Congress has had a chance to work its will. They hope to free themselves of congressional oversight of the plan and the future of America's railroads.

I strongly believe that the Congress must be an integral part of this extremely important decision and I believe the procedure which I have outlined will provide the means for us to exert our will in a logical and orderly way.

Mr. Speaker, I will soon be circulating this bill to other Members of Congress for their cosponsorship. Whatever your views on the final system plan itself, I invite you to join with me in working to see that the way it is adopted is a reasonable one.

FREEZING MEDICARE COSTS

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. YOUNG of Florida. Mr. Speaker, older Americans covered by medicare have been buffeted with increasing frequency of late by inflationary increases in health care costs. As I noted in my remarks earlier this week, the so-called allowable charges paid by medicare are further and further from what these charges are in reality, and the difference comes out of the pockets of the elderly. Adding insult to injury, the Social Security Administration now plans to increase the out-of-pocket hospitalization costs for the elderly by 13 percent on January 1 next year.

Under the new Social Security Administration proposal, medicare clients will have to pay the first $104 of their hospital bill after January 1, up from the present $92. In addition, costs for extended hospital care will increase to $26 daily, from the present $23, and for extended nursing home care, the out-of-pocket cost will increase to $13 daily, from the present $11.50.

Mr. Speaker, I can no longer wait and hope for committee action to alleviate the heavy burden of medical costs on the elderly who are struggling to exist on low and fixed incomes. These latest increases, loaded on top of the already inadequate payments under part B of medicare, are just too much. I am therefore introducing today legislation to freeze all out-of-pocket costs for hospitalization and nursing home care covered by medicare at their present 1975 levels. My bill will buy time for the elderly, provide them with protection against further financial burdens, while the House Ways and Means Committee's Subcommittee on Health completes its hearings and makes legislative recommendations for the revision of medicare. I have already expressed to the subcommittee my strong concern over the gap between what the Congress intended medicare to do, and what it is actually doing. My bill will prevent any further widening of that gap, and I sincerely hope that the final result of the committee's deliberations will be restoration of medicare benefits to the level which the Congress intended.

Following is the text of my bill:

H.R. 9985

A bill to amend part A of title XVIII of the Social Security Act to freeze the inpatient hospital deductible under the medicare program at its 1975 level

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 1813(b)(2) of the Social Security Act is amended by inserting before the period at the end thereof the following: "; except that the inpatient hospital deductible which is applicable in the case of any spell of illness beginning in or after the calendar year 1976 (as promulgated under the preceding sentence) shall not exceed the inpatient hospital deductible (as so promulgated) which was applicable in the case of spells of illness beginning during the calendar year 1975".

SEC. 2. Notwithstanding any other provision of law, the determination and promulgation required to be made during the calendar year 1975 by the first sentence of section 1813(b)(2) of the Social Security Act shall be made (taking into account the amendment made by the first section of this Act) during the 30-day period immediately following the date of the enactment of this Act; and the determination and promulgation so made shall constitute the determination and promulgation required by such sentence.

INTRODUCTION OF THE LOCAL RAIL SERVICES AMENDMENTS OF 1975

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. HEINZ. Mr. Speaker, during public hearings on the proposed restructured rail system in the Northeast and Midwest, the issue that generated the most concern surrounded the methods used by the U.S. Railway Association for determining lines to be abandoned.

The final system plan developed by USRA recommends that we abandon 7,000 miles of track, including 1,200 miles in my State of Pennsylvania alone. Since this matter is extremely important to many communities and users of rail service, it is essential that a means be devised to reverse exclusion decisions which later are found to be incorrect. If the final system plan were to be implemented in its present form the scheduled abandonments could result in the closing of factories, the disruption of small communities across Pennsylvania and throughout the Northeast and Midwest, and the loss of many thousands of jobs.

That is why I am today introducing the Local Rail Service Amendments of 1975. I believe this legislation offers an attractive alternative to the imminent abandonment of lines designated as excess by USRA.

Local branch line service has a direct affect on individual rail users and often is the lifeline of a community or industry. However, these light density lines can also constitute a serious drain on the limited financial resources of a railroad.

Therefore, in considering the final system plan we must strike a very delicate balance on the question of light density lines. Overburdening ConRail with an abundance of unprofitable local service lines may lead to the collapse of ConRail and the rail network in the Northeast and Midwest. Yet, in all fairness, we must take into consideration each case where USRA methodology has been attacked as inadequate and where USRA's decision is being contested by an affected State. We must have the benefit of the best available data before we take the very serious step of abandoning lines, especially those borderline cases where a mistake in methodology could result in the permanent loss of a profitable line. For example, there is a 10-mile stretch of Reading line in Bucks and Montgomery County in Pennsylvania, which serves six major shippers and employs 2,000 people. If this line were abandoned as called for in the final system plan, two plants would close and four others would move, costing 1,764 employees their jobs. In another case the proposed abandonment of 16.5 miles of the Penn Central line between Reading and Hamburg, Pa., would cause the closing of four plants and the loss of 500 jobs.

These are just two examples of 29 lines in Pennsylvania which the Pennsylvania Department of Transportation has found to be viable under a more comprehensive analysis. While I am not in a position to pass judgment on which methods are the most reliable, I strongly believe that this reasonable doubt warrants further study of those lines being contested.

The legislation I introduce today will have the effect of placing a 2-year moratorium on the discontinuance of contested lines. Under my bill, local service lines, which the USRA has designated as excess in the final system plan, will be operated by ConRail or another carrier to be designated in the final system plan. Service will be provided for a 2-year interim period under a 90-percent Federal–10-percent State/user subsidy. During this 2-year period the Rail Service Planning Office would conduct a study of each such local service lines and would report its conclusions and recommendations to ConRail.

In addition, my legislation provides for the analysis and possible return to service of those lines out of service upon the effective date of the final system plan or which were out of service as a result of a natural disaster. One such example is a rail line running from York, Pa., to Cockeysville, Md., which was severely damaged by Hurricane Agnes and is currently out of service. Available data indicates that this line would be profitable if it were operated. However, USRA did not analyze the line.

Mr. Speaker, enactment of my bill would allow us the time we need to assemble the best available data on these lines and enhance the chances of creating a successful rail network in the Northeast and Midwest. At the end of the first 2 years of study, ConRail would submit to the Congress a local service plan designating which studied lines should be retained in its system and which should either be abandoned or made available for subsidy under a Federal-State 70/30 matching grant. This latter subsidy would be available for an additional 3 years, without any need to increase the present $180 million authorization subsidy money available under the Regional Rail Reorganization Act.

According to the Rail Service Planning Office, the total estimated subsidy payment required to operate all lines analyzed by USRA, but no. recommended for inclusion in ConRail, has been computed at $35.4 million for 2 years, exclusive of rehabilitation costs.

I believe that this proposal is a fair and reasonable approach to the light density line question and I am hopeful that with the support of my colleagues this legislation will be given immediate consideration.

FORD ABOUT FACE ON PANAMA

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. SNYDER. Mr. Speaker, the State Department's avowed intention to give up the Panama Canal and the Canal Zone has sparked much public debate.

However, this is just the latest episode in the controversy.

Our President, who today seems to be backing the State Department, in 1967 was vociferously on the other side of the argument. When President Lyndon B. Johnson's administration proposed an earlier giveaway, and the Chicago Tribune published the text of the still secret treaty, Mr. Ford as minority leader, spoke out at once against it, warning against the threat of Communist subversion and the need for the United States to be able to make immediate response to any kind of threat to our canal.

A local commentator, Mr. Paul Chiera, recalls the 1967 controversy in a recent newspaper column in the Southwest Virginia Enterprise for September 25. Its text follows:

FORD DOES A COMPLETE ABOUT FACE—NOW WANTS TO GIVE AWAY PANAMA CANAL

President Ford, while House minority leader on July 7, 1967, after reading the text of the Johnson Administration's "new Panama canal defense treaty" (obtained by the Chicago Tribune in Panama, while it was still under secrecy wraps) declared its terms "shocking" and that they would "weaken U.S. control." Ford then stated that the American people would be shocked when they learned the terms of the proposed settlement and he also expressed concern about a communist threat to the canal under lessened American authority.

Minority Leader Ford continued his scathing denunciation of President Johnson's proposed treaties by saying, "With Cuba under control of the Soviet Union via Castro an increased communist subversion in Latin America, a communist threat to the canal is a real danger." He added: "Certainly Congress has the responsibility to get more information than has been made available so far before accepting the Johnson Administration-sponsored treaties."

Referring to a specific section of the defense treaty that provided for United States-Panama consultation before the United States could move into certain sections of the Canal Zone for defense puropses, Ford said:

"Any action on our part to meet a threat involving the national security of the United States should not be hamstrung by the need for time consuming consultation with a government that might be reluctant to cooperate in the defense, or possibly be in opposition to our best interests."

One week later on July 15, 1967, the Chicago Tribune published the complete text of three proposed treaties with Panama which involved serious undermining of the existing sovereign rights of the United States over the Canal Zone and canal itself, the publication of which caused such indignant furor throughout the United States that President Johnson never submitted the proposed treaties to the Senate for confirmation.

Only eight years have elapsed since Ford, a Republican, denounced treaties negotiated by Johnson, a Democrat. Now, as President, Ford is negotiating, through his Secretary of State with his announced approval, new treaties with Panama, containing surrender terms far more drastic and detrimental to the vital interests of the United States than those which were contained in the Johnson-negotiated treaties. This for the reason that communism is much more rampant in Panama today with serious infiltration into the revolutionary government of usurper-dictator Omar Torrijos, who never ceases to blackmail the United States and to issue threats of sabotage and violence against our United States-owned Canal Zone involving serious danger to our people residing there.

Upon the disclosure of the actually proposed provisions of the Ford-negotiated treaties with Panama, it should be obvious that the hue and cry of our people against them will be at least as vociferous as they were against the Johnson proposed treaties in 1967. But our people need not wait for that for they have enough information now to voice their opposition to the President and to their representatives in Congress.

SMITH ISLAND, MD.—PEACE AND "PEELERS"

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. BAUMAN. Mr. Speaker, the Wall Street Journal recently included an article on Smith Island, a unique community out in the Chesapeake Bay which I have the honor to represent in the Congress. The article tells about the isolation and independence, the austere, yet rewarding life, which has kept these 750 people and their ancestors on Smith Island for generations.

I believe that, for an outsider, Journal Staff Writer Thomas J. Bray has caught the flavor of the island fairly well. My colleagues will be interested in learning about this community, and can gain some insights into the independence which characterizes not only Smith Islanders but people throughout Maryland's First District. For those who enjoy unusual places, a visit to Smith Island is certainly worthwhile.

The article follows:

[From the Wall Street Journal, Oct. 1, 1975]

PEACE AND 'PEELERS,' PLUS LOTS OF EVANSES, ON ISLE CALLED SMITH

(By Thomas J. Bray)

SMITH ISLAND, MD.—Frank Dize deftly maneuvers his 50-foot fishing boat "Island Belle" alongside a rickety crab shanty on an inlet of this tiny Chesapeake Bay island.

A deckhand jumps off the boat, picks up a large insulated box packed with "peelers"—recently molted, or soft-shell crabs that are considered a delicacy hereabouts—and hoists it aboard. The crabs are destined for market on the mainland after similar pickups at the dozen or so other island shanties lining the inlet. For the crew, it's a familiar routine requiring few words. The early morning calm is broken only by the cry of gulls and a deckhouse radio playing religious folk music.

"I'd say the crab catch is only about half last year's," says Mr. Dize in a rare conversational burst. "Crabs come and go. Don't really know why." Is the shortage hurting Smith Island's fishing industry? "Yup, but we'll manage. We've always looked after each other out here."

Indeed they have. Smith Island, a four-square-mile speck in the Chesapeake located just north of the Virginia state line, has been going it alone for some time. Smith Island was named for its discoverer, Capt. John Smith, who charted the Chesapeake in 1608. It was settled in 1657, when a small band of families, chiefly by the name of Evans, Tyler and Bradshaw, moved there after a falling out with Leonard Calvert, son of Maryland's founder, Lord Baltimore. They fished for a living, were early converted from the Church of England to Methodism and became noted for their stubbornly independent existence.

NO MAYOR OR JAIL

That formula hasn't changed much over the years. Crabbing and oystering are still the main livelihood. The Methodist Church is still the only church. And most of the population of 750 is still named Evans, Tyler or Bradshaw—about 75% of them, in fact. (The Evanses are the most numerous: a World War II memorial plaque in the churchyard lists 38 names, 21 of them Evans.)

There isn't any mayor or jail. Groceries and mail comes once a day by boat from Crisfield, Md., on the eastern shore of the Chesapeake 12 miles away. And many of the islanders still talk with an elegant, gliding accent said by some experts to hark back to Elizabethan English: it is nearly unintelligible to the outsider.

The modern world hasn't entirely passed Smith Island by. In 1941 a radiotelephone system was installed to provide communications with the outside world. In 1947 the Rural Electrification Administration provided funds to build an electrical generator. And cars are barged in, though they are usually second-hand. There is only a mile or two of road on the island, so cars are prized mainly for their motors, which watermen (the local term for fishermen) use to power their boat winches.

Smith Islanders are offended by suggestions they are backward. "We've got TV and refrigerators just like anyone else," says Alice Middleton, a retired school teacher. "The dentist comes once a month from the mainland—I wish you could see the air-conditioned office we provide for him—and our volunteer fire department has several nice looking pieces of equipment. And we have a nurse who's as good as any doctor."

NEAT FRAME HOUSES

Still, Smith Island offers an interesting contrast to the normal hurly-burly of American life. As Mrs. Middleton puts it, "I came here 60 years ago and decided to stay, because I liked what I didn't see."

Smith Island actually is composed of three communities. Two, Ewell and Rhodes Point, are joined by a dirt road across a marsh. The third, Tylerton, can be reached only by water.

Neat white frame houses, many of them bordered by colorful flower gardens, line the village lanes. There are only a handful of commercial establishments, including two small general stores owned by two different branches of the Evans family. The only place to stay is in the home of Francis Kitching in Ewell, where $15 (cash only) fetches a back bedroom with a fan, a sumptuous dinner of crabcakes and a bedside copy of "Grit," a weekly newspaper published in Pennsylvania that tends to favor good news

Marriages between cousins have been so frequent over the centuries that questions about family trees draw shrugs. "We just try to keep track of first cousins," says one young bachelor. As a result of this close breeding, islanders have a tendency to diabetes and obesity.

"On the whole, they are a healthy, intelligent breed of people," says Linette Becker, an Australian nurse who moved here with her husband several years ago in response to a search by the islanders for medical help.

Children attend a one-room school in Tylerton or a two-room school in Ewell until they reach high-school age. Then they commute to school on the mainland aboard a sleek new cruise boat that can make the trip in 45 minutes. The 50-passenger vessel, which is chartered by Somerset County from Alan Tyler of Rhodes Point, makes it possible for the children to return to Smith Island each day; previously they were boarded in homes on the mainland for the school week returning only on Friday, because the old ferry couldn't negotiate the frequently rough waters of the Chesapeake.

Many young people eventually move away from the island (perhaps to escape the ferocious mosquitoes that breed in the island's marshes), but a surprising number remain and become watermen like their fathers. It's not a trade that's likely to make them rich. Even in a good year, watermen figure they're lucky to make $10,000 to $15,000 before taxes. And its grueling work. Most Smith Island men are up at 4 a.m. and out on the water before sunrise, returning in the later afternoon after a hard day of physical labor. In winter, the watermen go north in the Chesapeake for weeks at a time in search of oyster beds.

But there are compensations. "Here, I'll be working for myself and living with my own people, says one waterman. "I guess I just like the way of life too much to leave.

AUSTERE WAY OF LIFE

It's a quiet, austere way of life. Liquor isn't sold on the island, mainly for religious reasons, and the main event on the social calendar is the July "camp meeting, a week-long religious revival and family reunion for which even Smith Island expatriates return. Someone tried to start a makeshift movie theater in the mid-1960s, but it soon closed down. "Some people thought it created too much noise and confusion," says one matron approvingly.

The church is the focal point of most community activity (there is much social pressure to attend church, some islanders confide.) The church bulletin serves as a sort of island newspaper and street lighting is paid for out of church funds. Important community issues usually are thrashed out at church meetings. "Whenever I want something for the medical clinic, I just stand up in church and say what I think I need, says Mrs. Becker, the nurse. "Pretty soon, somebody will show up to do repairs or bring me the supplies I've asked for."

One issue being hotly debated is whether to encourage the tourist trade, as has Tangier Island, a similarly isolated spot on the south of Smith Island. (Tangier was bought by John Crockett and his four sons in 1666 from the Indians for two overcoats; now it has a population of about 850, half of them named Crockett.)

TOURISTS NOT WANTED

In favor are such entrepreneurs as Mr. Tyler, the school-boat owner, who would like to expand his ferrying business in the summer months. "How do you like the island? Do you think the tourist business could ever be big here?" he asks a visitor. But many islanders are opposed to tourists because they fear the changes that an influx of outsiders might bring. "It would ruin this place," says Mrs. Becker. Adds a store owner, "The tourists we get over here now don't spend any money, so what's the point?"

Smith Islanders uniformly resent outside interference in their affairs. A Washington decision in the 1950s to declare a large section of marshland on the north point of the island a wildlife preserve rankles many islanders who like to hunt. A more recent decision to install a sewer system to comply with strict water quality laws was also controversial.

When a state policeman showed up several years ago on the main street in Ewell to check auto registrations (few if any of the cars were properly tagged), the islanders simply stopped driving for a few days until he went away. Smith Island has a deputy sheriff, Otis Tyler, but he can't remember the last time there was so much as a fist fight on the island, and he isn't very big on acting like a cop anyway. "Most of these people are either relatives or neighbors," he notes as he watches an obviously under-age youth driving down the street.

JOHN T. FORREST, 13, RECEIVES AWARD

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. COTTER. Mr. Speaker, I am proud to recognize today a very admir-

able young constituent of mine, John T. Forrest, 13, of Hartford, Conn. John has just been awarded the Connecticut State Police Lambert Award, which is given annually to a young Connecticut resident who has exhibited courage, presence of mind, and swift action to save another person's life or render unusual service, without regard to his or her personal safety.

John, the son of a Hartford fireman, played a significant role in the capture of three men who robbed the Connecticut State Library of a rare coin collection valued near a half million dollars. The robbers had parked their cars near John's home on Hungerford Street and made their way through several backyards to the State library. John's mother was suspicious of the men's actions and asked him to follow them.

John saw the robbers leave the State library and he followed them to their cars. Some of John's friends copied the auto registration numbers and alerted the police. All three robbers were soon apprehended and are now serving prison sentences. The Michaelson collection of rare coins was recovered intact.

This response in a tense situation is a very commendable act. It shows that John Forrest, his family and his friends have a keen sensc of responsibility to their community and have not given in to what some people would have us believe is a universal feeling of apathy. John was willing to get involved; and his actions show what can be accomplished when citizens and public servants work together as members of a community.

The State police also cited John's mother, Ruth Forrest, and his two sisters Paula and Susan; along with his friends, David Lock, Mary and Michael Wisneski, and Joseph Lawson, for their cooperation in apprehending the robbers. The actions of these people are very heartening. It shows that people are always ready to respond to a difficult situation with courage and selflessness.

There are many Americans across this country with the same willingness to get involved as responsible and caring citizens. They deserve a great deal of credit for it is this same kind of community feeling that we will be paying tribute to in the upcoming Bicentennial year.

I am happy to join with the State Police of Connecticut in honoring this year's Lambert Award winner, John T. Forrest.

IT IS A WORLD RECORD IN LAWNDALE AS YOUTHS PLAY 300 HOURS NONSTOP VOLLEYBALL FOR CHRIST

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. CHARLES H. WILSON of California. Mr. Speaker, in the city of Lawndale, a community I am most proud to represent in Congress, a group of students are members of the Church of Christ which is located at 4234 West 147th Street.

In a feat of strength and endurance, 16 of these youths set a goal of beating the world record volleyball playing record which had been established at 240 continuous hours, or 10 days. Thirteen of the original group went on, not only to break the world record, but to establish a new record: 300 continuous hours of volleyball, or 12½ days.

Those completing this recordbreaking game included Dennis and Laurie South, Terri Fleming, Mary Gherna, and Leslie and Kim Marks of Lawndale; Anita Allison, Paul Naschinski, and Roberta Rangey from Hawthorne; Scott Kjos and Norman and Ken Pedersen from Gardena, and Billy Thompson from Redondo Beach.

The game started on September 1, and at exactly 12 noon on Thursday, September 11, the record of 240 continuous hours had been broken. Originally the plan was to play 288 hours, or 2 more days than the original 10-day record. But this valiant group surpassed even their own goals, playing until midnight Saturday, September 13, to complete 300 continuous hours of play.

The young people must have found an inner strength through the guidance and prayer of their minister, Herb Read, and the spirit of their leader, Dennis South. They certainly had the support of parents, friends, neighbors, and members of this community church congregation. The generosity of sponsors was shown in the donation of food, and many Lawndale residents provided beds and showers for the bone-tired and ballweary players. During their breaks some of the players rested or slept in the church sanctuary in sleeping bags. Others had to rush to their schools to register for the approaching school year.

Why did they do it? Because a record was there. And in their hearts they knew that in doing it for Christ the record could be broken. They went on, exerting themselves beyond belief, to accomplish this goal.

It is with very great pride that I represent such a fine group of young people in the U.S. Congress. And I want to take this opportunity to congratulate them on this fine show of teammanship, will and power to achieve.

GENE SNYDER ASKS PRESIDENT TO LEAD ANTIBUSING FIGHT

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. SNYDER. Mr. Speaker, I recently wrote the President urging him to put his leadership and the full resources of his administration on the side of the 95 percent of the American people who oppose court-ordered busing as a desegregation tool.

Robert S. Allen, in his syndicated column of September 18, made some perceptive observations on this matter.

He makes the pointed statement that the President is finding no support among the many citizens he has met on his recent trips, either for busing, or for his own position on the controversy.

Mr. Allen's column follows:

GENE SNYDER ASKS PRESIDENT TO LEAD ANTIBUSING FIGHT

(By Robert S. Allen)

WASHINGTON, SEPTEMBER 18, 1975: President Ford is making two deeply striking discoveries in his wide-ranging tripping about the country:

(1) Universal and seething hostility toward court-ordered mass busing—in contrast to general acceptance of desegregation of schools. Nowhere has the President encountered active opposition to racial integration of schools; seemingly that concept now appears to be considered a fact of life.

But mass busing is a very different story. On that the President is finding raging fury—chiefly on the ground that court-mandated busing is plain counter-productive. Instead of furthering quality education and better racial relations, it is perpetrating exactly the opposite.

Millions are spent for busing instead of for better schools, more teachers and smaller classes; neighborhoods and communities are uprooted and destroyed by large-scale population "flights" and shifts; and racial relations and problems are harshly acerbated and intensified instead of ameliorated and resolved.

In other words, forced busing is proving an educational and racial perversion instead of a solution.

(2) The President's position on this supercharged issue is generally deemed meaninglessly "straddling"; that he is talking out of both sides of his mouth when he says, on one hand, he is against busing, and on the other, it is essential to "uphold the law of the land."

It has not escaped the President's attention that he never gets a hand in enunciating that position.

Clearly it's not viewed as the role of a forceful and effective leader.

TIMELY ADVICE

Significantly reinforcing this is pointed advice he is getting from Republicans in Congress.

They feel he should be doing something about busing besides talking innocuously about it.

In their opinion, there is ample opportunity for concrete action and he should make the most of it. And if he has any doubts as to just what should be done, it is politely but explicitly spelled out in a letter from Representative Gene Snyder, R-Ky.

The Kentuckian, who went to law school in Louisville, practiced there and whose district adjoins the city, served with the President as a fellow member of the House for years. In his personal letter, Snyder points out:

(1) Legislation aimed at curbing court-ordered busing has long been pending in the Democratic-controlled Judiciary Committee but gotten nowhere because of the Democrats' refusal to permit its consideration; (2) leading sociologists, educators and other authorities who once advocated forced busing "now readily admit their *error* and conclude that the practice is destructive of the educational process of all children."

It's time, Snyder firmly informs the President, "that you immediately take positive action as the Chief Executive" to get something done, and recommends the following:

"Instruct the Justice Department to intervene in the various pending appeals so that the people will know they are represented in attempting to right this wrong."

"Convene a meeting in Washington of mayors, county executives, governors, etc., who have court-ordered busing or are in litigation

over it or expect it, and explain that the legal machinery has been started and that legislative vehicles are available."

"Get their support and commitment for active participation in the moving of the legislation forward, including the discharge petition route if the committees continue to refuse to report the legislation."

"Get their support and suggestions not only to reverse the trend to busing, but to refocus funds and efforts toward improving of education with funds that otherwise will be frittered away in simply moving pupils around."

Time is of the essence, Snyder stresses, because the country cannot be united either at home or abroad with the disruptive discord resulting from forced busing. It's urgent the President act, and without delay.

"This is a great opportunity for you to exercise the leadership that I know you are capable of," Snyder wrote his old House colleague. "It is a great opportunity to put your Administration on the side of over 95 percent of the people. Most of all, it is an opportunity to do good for our country, to reverse a policy that is destroying years of gains in race relations, a policy that is destructive of the family, and most of all destructive of the children on whom it is afflicted."

UNEXPECTED ALLY

Surprisingly, this forceful counsel was impressively echoed in an unexpected quarter.

William Raspberry, black liberal columnist of the liberal Washington Post, startled the capital and its predominantly black population by pronouncing forced busing an outmoded failure and accusing its chief advocate, the NAACP, of stubbornly fighting for a cause of highly dubious merit.

"A lot of us are worrying," wrote Raspberry somberly, "whether the busing game is worth the prize; some of us aren't even sure just what the prize is supposed to be."

The problem is no longer desegregation, asserts Raspberry; that is now widely accepted. What is really neded is better education for blacks and whites.

"The 1954 Supreme Court decision," declares Raspberry, "outlawing racial exclusivity was a vastly important victory which, in effect, opened neighborhood schools to all neighborhood residents. But it didn't automatically lead to racial integration, particularly in the north, where the schools remained white or black because the neighborhoods were.

"So the NAACP expanded the principle to include not just the dismantling of dual school systems but also the elimination of identifiably black schools within unitary systems. A number of courts went along with the expansion. But that is changing.

"The Supreme Court, in the Detroit case, held that it's perfectly all right if schools are predominantly black because the school district is predominantly black. This judicial trend is clear, but it may be too much to expect the NAACP to back down, however counterproductive its efforts in fact may be.

"For NAACP policy makers, the issue is not whether anybody wants busing; it is their view that constitutional considerations require it."

NEW INSIGHTS INTO MEDICAL LIABILITY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. CRANE. Mr. Speaker, within the past few years, a good deal has been made of the misnamed "medical malpractice crisis." The crisis exists not with growing medical negligence or rampant malpractice, but with the shrinking availability of medical liability insurance resulting from more people filing more suits in pursuit of larger amounts of dollars, thereby destroying the actuarial predictability of medical risk-bearing.

Few, however, have attempted to explore the root causes of the problem beyond efforts at meeting the immediate crunch of maintaining an insurance market. It is highly probable that our society, becoming ever more litigation-minded and rights-conscious, is beginning to view the men and women of medicine not as practitioners of the art of healing, but as contractors who are expected to guarantee good health and produce happy results. Increasingly, our judicial system is expanding the scope of tort liability to include holding medical professionals guilty for failure to perform in that manner. No longer is medical liability insurance considered a protective device, but it is now seen by many consumers, lawyers, and judges as yet another source of instant income for plaintiffs or as a limitless trough for compensation, reparations, and wealth redistribution.

One distinguished man of medicine, Charles A. Hoffman, M.D., has examined the problem beyond its superficial immediacies. Dr. Hoffman, a past president of the American Medical Association, is currently chairman of the Medical Liability Commission, a Chicago-based national association of the American Medical, Dental, and Hospital Associations and 17 other medical specialty organizations. In his address to the zone II meeting of the National Association of Insurance Commissioners—NAIC—on August 12, Dr. Hoffman offered a unique approach toward satisfying both the "bonded mechanic" elements in our culture who demand a happy physical or financial result after each trip to the doctor's office and the vast majority of Americans who value the traditional, limited-liability patient-doctor relationship.

I commend Dr. Hoffman's remarks to my colleagues and to others seeking the benefits of new insights into this disturbing issue.

The article follows:

AN ALTERNATIVE

(By Charles A. Hoffman, M.D.)

The great majority of Americans (perhaps 90%) are still very hesitant about suing their doctor. Most still consider him as a friend-confessor or as a trusted ally and collaborator in helping to maintain good health and enjoy long life.

Relatively few Americans consider their doctor as a bonded workman guaranteeing perfect medical or surgical results. Most Americans still believe in the Judeo-Christian principles of Caveat Emptor ("let the buyer beware") and joint venture and are willing to fault themselves in part for failing to exercise full diligence in selecting their health-care provided. Most recognize their own personal bad habits as possible contributory negligence factors to any eventual unhappy medical results.

By and large, Americans esteem the professional status of their physicians or surgeon and would not think of "turning on him" as an adversary unless he or she were to behave in a blatantly criminal or grossly negligent way.

Patients usually expect encouragement and confidential advice from their doctor and would consider it absurd to regard the friendly exhortation and professional treatment as absolute contractual guarantee or warranty to be enforced in a court of law and financially fortified by an insurance bond. Indeed, most Americans recognize the spiritual, psychosomatic, and attitudinal factors necessarily involved in the process of getting well.

In this country patients request only that the doctor of their choice perform to the best of his professional ability and do not wish to purchase bonded performance or guaranteed happy results, considering the high price of such guarantee an unnecessary and costly accessory tacked on to the basic professional services they seek.

As we now know, professional liability insurance when used to compensate for unhappy results and for failure to deliver the undeliverable can become very expensive for both doctor and patient and sometimes even wholly unavailable at any price.

Today's problem is that 300 to 400 cases each year are successfully concluded against the provided, whereas a decade or so ago only 100 to 200 verdicts were rendered nationwide against medical defendants.

Insurance reserves for professional medical liability have always been exceedingly thin, and their fragility has been demonstrated in recent years by the relatively minor increase of one or two hundred additional adverse verdicts annually. These reserves were built primarily to be spent on legal defense costs and to cover court awards for gross or wanton negligence only. They were not accumulated or intended as a bonding mechanism for guaranteed performance nor as funding for a system of compensation for all unhappy medical results.

Why?

Because the cultural attitudes and temperament of most Americans precluded the need.

Today a shift of attitude among a relatively small 5–10 percent of our populace has shattered these insurance reserves and has precipitated a major crisis in medical care delivery.

Merely because the uninformed and a few ultra-liberal thinkers of our country might demand a bonded performance or guarantee from doctors is no reason to impose this incredible added cost to basic medical care.

Today two types of medical care delivery are demanded by our pluralistic society, and we have been offering only one. Apparently our system is currently too rigid to accommodate itself painlessly to the changing demand.

Are we so stodgy that we must blindly perpetuate the current uniform system, disavowing to the world America's well-known flexibility?

Can we not deliver medical care to satisfy both segments of our society?

If 90 percent of Americans prefer a less costly, semi-bonded performance affording insured protection only against their doctor's possible gross negligence, are they not entitled to receive it? Should they be forced to pay for frills demanded by the other 10 percent?

If, on the other hand, 10 percent of our people want bonded performance and are willing to pay the insurance premium for a contractually guaranteed physical or financial happy result, should it be denied them?

The obvious answer is legislation at the state level to provide a twofold system of medical care. Let some doctors be legally empowered to hold themselves out as fully bonded performers and to charge appropriate professional fees to insure and compensate

for possible performance failure to serve the 10 percent minority of our society who have the desire and financial ability to buy the delivery of "guaranteed happy results" services. Let others be permitted by law to list themselves as traditional limited liability practitioners with proportionately reduced fees insuring only the normal medical care delivery expected by 90 percent of all Americans.

Such an arrangement would be inherently stable, yet flexible enough to adjust to shifting public demand in the years ahead.

COMMUNISTS BEGIN THAI OFFENSIVE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. McDONALD of Georgia. Mr. Speaker, it begins to look as though the Communists in North Vietnam were able to shift gears and focus their tender attentions on Thailand sooner than some of the experts had expected. The London Daily Telegraph of September 26, 1975, reports on the buildup for a monsoon offensive. Another falling domino, anyone? The article follows:

[From the Daily Telegraph, Sept. 26, 1975]

COMMUNISTS BEGIN THAI OFFENSIVE

(By John McBeth)

Defence officials in Thailand are becoming increasingly apprehensive over the significance of an unusual monsoon offensive by Communist insurgents—many of them women.

They fear it may signal the start of a dangerous new phase in the country's guerrilla war, which has spluttered along on a fuse of poverty and government heavy-handedness for the past 10 years.

There have been two major clashes in the past few days, and Col. Prakorb Prayoonpokorat, the deputy interior minister, was quoted yesterday as saying that armed incidents are being reported almost daily in the sensitive northern and north-eastern Provinces.

On present indications, the level of fighting could reach unprecedented proportions during the coming dry season, when terrorist activity traditionally intensifies.

Some officials have linked the upsurge to increased clandestine arms shipments from Laos, an indication, they say, that North Vietnam is releasing part of the huge stockpile of weapons left over from the Indochina War.

A large number of women were among the insurgents who overran a northern outpost on Monday, a wounded survivor said yesterday. The night attack, in Udon Province, 300 miles north of Bangkok, left seven troopers dead and six wounded.

Udon is next to the border Province of Loei, where villagers made the last reported sighting of Rassamee Jandawongse, the strikingly beautiful 28-year-old daughter of Socialist lawyer Krons Jandawongse, who was executed in 1960 for fomenting unrest in the northeastern Provinces and allegedly plotting the overthrow of the Government.

Rassamee, a third-year student at Bangkok's politically-conscious Thammasat University, vanished after her father's death and is reliably reported to have undergone guerrilla training in North Vietnam, China, and the Soviet Union.

Captured film has revealed the presence of a large number of women among Thailand's estimated 8,500 armed insurgents.

NEW HOME OF DETROIT LIONS

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. BROOMFIELD. Mr. Speaker, it is with great pleasure and pride that I call to the attention of my colleagues a development of national consequence in my district. It is the $55.7 million Pontiac Metropolitan Stadium, new home of the National Football League Detroit Lions. And I extend an invitation to each of you to personally view this unique stadium on Monday evening, October 6, when it will be the scene of a nationally televised game between the Lions and the Dallas Cowboys.

The particular significance of this new 80,400-seat stadium is that, in contrast to other stadiums and major construction projects across the United States, it was completed ahead of schedule and within the budget. Considering the history of stadium building and the pressures of inflation, many observers have termed the stadium a miracle, although it is really the product of hard work and cooperation from all parties involved.

Pontiac Metropolitan Stadium will also boast the largest air-supported roof in the world. The 10-acre, 200-ton dome made of Teflon-coated fiberglas was inflated yesterday and makes the stadium the world's largest covered football facility.

The story of Pontiac Metropolitan Stadium is a story of cooperation between management, labor, and municipal officials that is perhaps unparalleled in recent building history. Incredibly, the stadium was built without a single work stoppage, and with a minimum amount of overtime. Contractors and union and city officials deserve a great deal of credit for averting the many problems that seem to inevitably plague similar projects, causing delays and cost overruns.

Actually, credit for this remarkable achievement goes to too many people and organizations to begin to name each and every one. But certainly particular recognition is due the designers of the stadium, the architectural firm of O'Dell/Hewlett & Luckenbach, Inc., Birmingham, Mich., who gave the stadium its unique roof, and the contracting firm of Burton-Malow, Oak Park, Mich., who oversaw the entire project.

Planning and contract officials are quick to admit that the stadium could not have been brought in on time and within the budget without the hard work and cooperation of the AFL–CIO Greater Detroit Building Council and the more than 25 trade unions who worked on the project.

Finally, special praise and congratulations must go to the city of Pontiac, Hon. Wallace Holland, Mayor, and the Pontiac Stadium Building Authority, Harold A. Cousins, chairman, for tackling such an ambitious project and seeing it through to its remarkable conclusion.

Pontiac Metropolitan Stadium is a tangible symbol of the pride and faith the people of Pontiac have in their city. I share that pride with all who made it possible.

GENERALS MIX BUSINESS AND PLEASURE

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mrs. SCHROEDER. Mr. Speaker, while we tussle with a $112 billion Department of Defense appropriations bill I thought it might be instructive to share with my colleagues several recent newspaper articles indicating the Air Force has a quite cavalier attitude toward the public's right to know how it spends our tax dollars.

The articles follow:

[From the Rocky Mountain News, Sept. 28, 1975]

GENERALS MIX BUSINESS AND PLEASURE

(By Alan Horton)

WASHINGTON.—Twice in two weeks, most of the Air Force's senior generals and civilian officials have gotten together at taxpayer expense for business meetings that coincided with a convention and a football game.

The first such gathering came a week ago when 31 generals, their staffs and a number of other military and civilian officials—the Air Force refuses to specify who or how many—came here from their posts around the country.

The Air Force Association's national convention was being held at the Sheraton-Park Hotel here for three days.

The Air Force explains, however, that "without exception every one of these officers had other appointments, meetings, conferences, etc., in Washington and were not in the city solely for the purpose of participating in the AFA functions."

Again this week, most of those 31 generals and a number of their fellow officers based here—over 50 in all—have flown to a commanders' conference at the Air Force Academy in Colorado Springs.

At least some of those officers and officials, including Air Force Secretary John L. McLucas, attended the Air Force-UCLA football game at the academy Saturday.

The Air Force has refused to tell Scripps-Howard:

How many planes were used to ferry the generals and their associates to Washington and to Colorado Springs.

How many officers and civilian officials were brought here for the convention.

How much was paid to Air Force personnel in "temporary duty costs" at the rate of $25 per day per person for their attendance at the convention and other meetings.

The Air Force admitted jitney buses were rented—$6,290 worth—to deliver the generals and others to the convention from the Pentagon, from their quarters at Bolling Air Force Base here and from other quarters.

Most of the 31 generals who came here flew on six-passenger T39 jets which cost $320 per hour to operate.

"Why the hell couldn't they hold their commanders' conference here since they were all here anyway?" one Air Force colonel asked.

The Air Force Association is a nonprofit organization with the primary objective "to assist in obtaining and maintaining adequate aerospace power for national security and world peace."

[From the Rocky Mountain News, Sept. 25, 1975]

AIR FORCE TO FLY 500 CADETS—AT TAXPAYERS' EXPENSE—TO D.C. GAME

WASHINGTON.—The Air Force plans to fly 500 Air Force Academy cadets in four C141 jet transports to the Oct. 4 Navy-Air Force game at Robert F. Kennedy Stadium in Washington at taxpayers' expense.

The cost: About $100,000 including 38,000 gallons of fuel, maintenance costs and expense money for air crews and faculty advisers.

Last month the Air Force refused to fly participants in the National Special Olympics for retarded children from Seattle to Mount Pleasant, Mich., on the grounds that such a mission was outside its responsibilities.

At least a small contingent of the Air Force Academy's cadets goes to most non-home football games. Each Academy squadron is sponsored by an active Air Force flying squadron "which frequently can find a plane to fly cadets to a nearby game," an Air Force official said. "Of course those are all training flights and the cadets fly on a space-available basis."

The Air Force team will fly to Washington on a chartered commercial plane, paid for from receipts from the game. Its equipment will be flown here on an Air Force C130 cargo plane at taxpayers' expense.

About 100 tickets to the game have been given to top defense officials and members of Congress. Most of the rest of the 54,000 seats will be sold for $8 each.

The cadets must buy their own tickets.

Army and Navy spokesmen said West Point cadets and Navy midshipmen pay their own way to the games they attend with the athletic associations sometimes covering the cost of transportation.

[From the Denver Post, Sept. 25, 1975]

STORY OF PLANE USE TO AF GAME UNSETTLED

WASHINGTON.—The Air Force chief of staff, Gen. David C. Jones, "heard about and is very concerned about" a report that the Air Force Academy allegedly plans to fly 500 cadets to Washington, D.C., for the Air Force-Navy football game, Oct. 4, Rep. Pat Schroeder, D-Colo., said Thursday.

Mrs. Schroeder, who is a member of the Armed Forces Committee in the House of Representatives, said she tried to call the general after hearing rumors about the academy's plan that would apparently cost the taxpayers $100,000 and consume 38,000 gallons of jet fuel.

"I could only speak to one of his aides," she said. "The general apparently had a meeting at the White House to go to and was going out of town after that."

The aide indicated, however, that the general was very concerned about the situation, but didn't want to issue a statement until he had all the facts in hand.

"I asked if they were planning to use a C–141 transport plane, but the aide didn't know if one is in Colorado right now," she noted. "All he had to do was make one phone call to the central scheduling operation and get the answer."

"It's rather amazing that the Air Force can't cut one of those plans loose to distribute badly needed canning lids, but it can take a lot of cadets to a football game," she said.

Mrs. Schroeder said the Air Force officials have said they will get back to her "after a more thorough investigation has been made."

Dan Buck, Mrs. Schroeder's administrative assistant, also put in a call to the superintendent's office at the academy.

After some hesitation an official there admitted that the story was "in essence" true, Buck said.

"He said that the number of students and the amount of money reported wasn't accurate, but he did confirm the use of C–141s for the cadet 'airlift,' " he said.

FEDERAL FUNDS NOT A BLESSING

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. BAUMAN. Mr. Speaker, as more communities gain experience with the redtape and bureaucratic controls which follow the disbursement of money from the Federal Government, many are having second thoughts. Some assume that the best course for local governments is to line up at the Federal handout window for all the "free money" available.

Well, some local governments have decided that Federal money is not worth it. Recently the Council of Talbot County, Maryland, my home, decided not to seek $140,000 in Federal funds for the construction of the new county library. Citing probable construction delays and increased costs which accompany Federal funding, the county council decided to rely on local resources.

I include in the RECORD at this point an editorial from the Easton Star-Democrat which explains the good reasoning behind the Talbot County Council's decision:

[From the Star-Democrat, Sept. 25, 1975]

IT WAS A RARE MOVE

The Talbot County Council yesterday made an almost unheard of announcement. They have decided NOT to seek $140,000 in federal funds for construction of the new Talbot County library.

In explaining their unusual move, the councilmen said that seeking the federal aid could delay construction of the library by a year and the resulting delay would probably boost through inflation construction costs by $80,000 to $100,000. Current plans call for the library to be completed before the end of 1976, the Bicentennial year.

The councilmen were also worried that the federal requirement that union labor be used for the project would mean higher expenses for laborers' pay and might present the opportunity for strike-related delays in construction.

The library board, which has worked closely with the council on plans for the new library, added its support yesterday to the decision to forego federal funds for the project.

We would now like to add our support to that decision, too.

Local government officials are bombarded with opportunities to use federal aid, programs partially funded with federal money and all sorts of local groups pushing for use of federal cash for this or that reason.

Sometimes these federal funds can do an immense amount of good in our community, other times, the strings attached to the funds can cause so much disruption that we wonder why anyone ever thought them to be attractive. And many times, officials or citizens advocating a particular project use the strange logic that obtaining federal funds makes a project cost local taxpayers nothing. Somehow, they forget that federal funds come from local taxpayers' pockets just as much as the funds for hiring a town police officer.

What this all gets back to is the fact that the council has used foresight and discrimination in deciding how the new library is to be funded. It would be easy to line up at the federal window now, sign up for the $140,000 and not worry about what comes later. Fortunately, the Talbot County Council didn't do that.

ILLEGAL ALIEN BILL ENCOURAGES DISCRIMINATION AGAINST SPANISH SPEAKING PERSONS AND OTHER MINORITIES

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. DRINAN. Mr. Speaker, on September 17, 1975, the National Congress of Hispanic American Citizens—El Congreso—an organization of 125 Spanish speaking groups, wrote to each Member of the House opposing the illegal alien bill, H.R. 8713, which is heading for floor action. In that letter, El Congreso stated "that passage of H.R. 8713 will have a detrimental and direct discriminatory effect on Spanish speaking persons, especially Mexican Americans seeking employment, whether they are citizens or aliens authorized to work in the United States."

The serious concerns expressed by El Congreso are shared by other groups seeking to protect the rights of minority citizens. On July 23, 1975, the Mexican American Legal Defense and Educational Fund—MALDEF—wrote to Congressman DON EDWARDS setting out its opposition to the illegal alien bill. MALDEF opposed the bill because it impermissibly shifts the burden of enforcing the immigration laws from Federal officials to private persons, thus giving employers " the power to determine citizenships."

According to MALDEF's analysis, which I share, the measure will produce discrimination against "Chicanos and other ethnic or racial groups that do not physically resemble the dominant racial group. Specifically, the illegal alien bill has provisions which when implemented will inevitably result in certain groups being treated differently solely on the basis that members of these groups look 'foreign'."

The predictions by El Congreso and MALDEF on the impact of the illegal alien bill should give each of us pause in supporting it. Since each Member has received a copy of the El Congreso letter, there is no need to reprint it here. The MALDEF letter, however, has had more

limited circulation and its text is therefore set out below:

MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND,
Washington, D.C., July 23, 1975.

Hon. DON EDWARDS,
c/o Committee on the Judiciary, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN EDWARDS: This is in response to your request concerning the position of the Mexican American Legal Defense and Educational Fund (MALDEF) concerning the provisions of the illegal alien bill (H.R. 982).

Let me first emphasize that MALDEF's position is based on legal premises and does not involve questions of policy; the reason for this is that MALDEF does not believe that sufficient information exists to arrive at valid conclusions concerning policy on immigration and on illegal aliens.

MALDEF's major concerns with H.R. 982 center on the constitutional problems that will be imposed on the Chicano community if the bill becomes law; however, at least one other type of problem will be noted first.

Under the provisions of the bill, an employer is required to make a bona fide effort to determine whether an employee or a potential employee is an illegal alien. In making this determination, the employer can (1) prove that the person is an illegal alien (2) prove that the person is a U.S. citizen, or (3) prove that the person is not a U.S. citizen but is also not an illegal alien. Number 1 above, however, is purely fictional since that determination can only be made by determining items 2 and three. That is, a person can affirmatively prove he is a citizen and he can affirmatively prove that he is a documented alien; however, proving that somebody is an illegal alien can only be done by showing that the person is not a citizen and is not a documented alien.

An employer who must comply with the provisions of the bill must necessarily involve himself in constitutional law (Article XIV, Section 1) and immigration law. More specifically, he will be required to determine a person's citizenship or documented status. This presents two major problems. First, it would require that the employer have sufficient expertise in constitutional and immigration law to be able to make a reasonable conclusion concerning a person's status; most employers do not have this type of expertise. Secondly, the bill shifts a federal government function (i.e., determining citizenship) from the government to a private party—the employer. This is particularly unusual in that not even the states are allowed this authority; as a matter of fact a state cannot even determine what persons will be its citizens. While it can be argued that the employer will not be determining citizenship in the absolute sense but will be determining citizenship only in a relative sense (i.e., relative to being hired or fired), the distinction is merely one of degree. That is, citizenship is not an abstraction; whether or not one is a citizen relates directly and tangibly to rights and benefits one can enjoy. Consequently, determining citizenship relative to employment relates directly and tangibly to rights and benefits one can enjoy from being employed. Thus, absolute citizenship is pure theory since once a determination of citizenship is made certain rights and benefits accrue that relate back to being a citizen. Employers should have no power to determine citizenship.

The legal problems with the bill center on the equal protection of the laws for Chicanos and other ethnic or racial groups that do not physically resemble the dominant racial group. Specifically, the illegal alien bill has provisions which when implemented will inevitably result in certain groups being treated differently solely on the basis that members of these groups look "foreign". This different treatment can occur at two levels. First, the typical employer will invariably be more suspicious of an employee or potential employee who looks "foreign" or who speaks a foreign language or speaks with an accent. Many Chicano employees would be perceived as being "foreign". Consequently, an employer wishing to not take chances will require Chicano employees to present evidence of citizenship with much more frequency than will be required of employees who do not look "foreign". The problem increases in intensity and scope when Chicanos realize that the way to avoid being suspected of illegal alien status is to carry some sort of identification proving citizenship. Thus, an entire class of people will practically be required to carry some sort of internal passport that will allow members of the class to move into a new job or allow them to keep a job. MALDEF feels that such an imposition and burden on Mexican Americans is totally unacceptable and cannot be tolerated by our community.[1]

In the same measure, MALDEF feels that the provisions of the bill provide a racist employer with the excuse to discriminate against Mexican Americans. In theory, it is quite possible for an employer to decide not to hire anybody that looks "foreign", justifying such a decision by saying that he is afraid of hiring illegal aliens; the true reason would be that he doesn't want to hire Mexican Americans. While there are civil rights laws that could serve preventive and remedial functions, it is a well known fact that these laws are not implemented effectively, particularly with regard to national origin groups such as Mexican Americans.[2] Consequently, the bill would add to the backlog of complaints already in existence and the "preventive and remedial" functions mentioned above would be mere illusions.

It is important to know that at least 2 states have attempted to enact legislation similar to the illegal alien bill and both failed. In California the bill was struck down by a state court (Dolores Canning case) as being unconstitutional; although the court employed the preemption doctrine for its decision, it is interesting to note that plaintiffs also argued that the state law would violate the equal protection of the laws of certain ethnic groups. In New York, a similar law was passed by the state legislature but was vetoed by Governor Malcolm Wilson (veto message of June 17, 1974) for two reasons: one was that the illegal alien field was pre-empted by the federal government; secondly he stated that: . . . the bill could result in discrimination against natural born citizens of the United States who are members of minority groups, but who cannot provide documentary proof of their birth by reasons of local vital statistics problems.

It should also be noted that recently the U.S. Supreme Court struck down as violative of the 4th Amendment an INS practice allowing "roving patrols" to stop cars on the basis that the occupant looks "foreign". If the federal agency responsible for administering the immigration laws cannot use "foreign looks" as a basis for carrying out its laws and regulations a fortiori a private person should not be given the opportunity or sanction to do likewise with respect to carrying out the provisions of a particular law—H.R. 982.

In essence, the H.R. 982 poses major constitutional problems for Mexican Americans and other similarly situated groups. It is for these reasons that MALDEF feels the bill should not be supported as it is presently worded and should be defeated or redrafted to eliminate the constitutional problems mentioned above.

Sincerely,

AL I. PEREZ,
Associate Counsel.

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[1] It is interesting to note that when the Department of Justice proposed a national identification card, members of Congress reacted very negatively against this proposal, saying it was not consistent with American ideals.

[2] For example, the Equal Employment Opportunity Commission has only one national origin discrimination lawsuit in the entire Los Angeles area.

THE U.S. ECONOMY: MYTHS AND REALITIES

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. CRANE. Mr. Speaker, no problem which faces society can be solved, no negative condition corrected, unless we carefully examine the causes of the difficulty and attempt to deal with them.

Too often, the American political process works against a real consideration of cause and effect. We tend, instead, to deal with symptoms and to produce temporary, cosmetic programs which, in the long run, make things worse, and not better.

This negative, short-run approach to real problems is especially true with regard to the economy. Many in political life, responding to a public clamor against rising prices, think that they can simply pass a law forbidding any further increase. These same political figures respond to the demands of each group which requests a governmental subsidy—whether farmers, businessmen, labor leaders, or welfare recipients—by providing such assistance. The fact that deficit spending produces inflation which causes higher prices is lost in this very political process. The economy, as a result, continues its steady deterioration.

Unfortunately, most public figures who discuss our current twin economic problems of unemployment and inflation invoke as economic reality what are, in fact, economic myths.

There are some, for example, who tell us that our free enterprise system practices a policy of "planned obsolescence," and that this is particularly true of the automobile industry, Prof. Peter Drucker declares that the only thing "we have been obsoleting and rapidly is the first owner of a car." He writes that:

> The American automobile . . . has a longer working life, measured in miles driven—the only sensible yardstick—than any other automobile. Indeed, the American system, under which people trade in their new car after a year or two, represents, without being planned, the most effective form of "income distribution" we have in this country . . .

Another myth is that the corporation tax is a tax on the "rich" and that it should be increased to further assist our economic recovery. Mr. Drucker argues instead, that:

> . . . with pension funds owning 30 percent of American large business—and soon to own 50 percent—the corporation income tax, in effect, eases the load on those in top income brackets and penalizes the beneficiaries of pension funds. In many cases it means an

effective tax of almost 50 percent on the retired worker, as compared with the 15 percent or less that he is supposed to pay. The corporation income tax has become the most regressive tax in our system, and a tax on the wage earner and on wages. Eliminating it would probably be the single largest step we could take toward greater equality of incomes. . . .

An additional myth confronted by Mr. Drucker is that the top 5 percent of income earners—those making more than $30,000 or $40,000 a year—own 40 percent of the personal wealth of America. He notes that:

The joker . . . is the word "personal" . . . For the single greatest assets of the typical American middle and working class family, its future contingent claim on the pension fund of the employing company is not "personal wealth." . . . But it is surely an asset and increasingly worth more than the family home. . . .

Mr. Drucker declares that, in real terms, the top 5 percent income earners probably own not 40 percent of the Nation's wealth, but no more than 10 percent. He declares that:

These myths . . . are not harmless. They lead to "soak the rich legislation" which, in effect, then "soaks the poor."

To solve our economic problems we need more free enterprise, not less, and we need less Government interference in the workings of the economy, not more.

I wish to share with my colleagues the important article, "Six Durable Economic Myths," by Peter Drucker, Clarke professor of social science at Claremont Graduate School, as it appeared in the Wall Street Journal of September 16, 1975, and insert it into the RECORD at this time:

SIX DURABLE ECONOMIC MYTHS

(By Peter F. Drucker)

There is a great deal of talk today about changes that are taking place in the structure of the American economy. But our political rhetoric and our economic policies are dominated by myths about this structure rather than by the structural realities themselves.

In particular there are six such myths, believed by almost everyone but completely at odds with the realities of the American economy.

The first of these is the belief, shared by practically all economists as far as I can see, that we face long years of high unemployment, even if economy returns to "normal."

This simply does not jibe with our population figures. Beginning no later than 1977, we face a very sharp drop in the number of young entrants into the labor force, the result of the "baby bust" that began in 1960 and that lowered the birth figures by 25% or more within a very short period. At the same time, for at least another 10 years, the number of people who reach retirement age will still go up.

Thus we face long years of a diminishing labor supply, except in the event of a worldwide depression, at least until the mid-90s, which is the earliest time at which a reversal in the birth rate could have an impact on the size of the labor force. President Ford in his Labor Day address quoted a figure of 95 million people who will have to have jobs in 1985. But if the President assumed a condition of official "full employment"—or 4% unemployed—in that future year, then 95 million people at work 10 years hence are hardly more than would be at work today if we had 4% instead of 9% unemployment. The figure which the President cited as an indication of the magnitude of labor force growth turns out to include no labor force growth whatsoever.

The resulting labor tightness will not be felt equally in all areas. Indeed, the area that displayed the greater manpower shortage in the '50s and '60s—teaching jobs will continue to be a "labor surplus" area, again because of the "baby bust" of the last decade. This may explain why the "experts," who are all, nor nearly all, university teachers foresee a continuing labor surplus instead of the reality of an almost certain labor shortage.

The second myth also is closely related to demographics. It is the myth that we can restore high economic activity by "reviving" consumer demand for the two truly depressed industries of today—auotmobiles and housing. In the very short run this pump-priming may work. For anything longer, say three years or so, demand in these two areas will be low and decline, no matter what economic policies we pursue. The demand will simply not be there.

THE AGE FACTOR

We have known for 50 years, ever since General Motors made its basic studies in the '20s, that the single most important factor in the demand for new automobiles in the United States is the number of people reaching the age at which they get their drivers' licenses. Of course, they do not, as a rule, buy new cars themselves. They buy the old cars and this enables the former owners of the old cars to buy new cars. And the number of these old car buyers, beginning in the next year or so, will go down by 25% or more and will remain low for the foreseeable future.

Similarly, we have known in respect to housing that it is not "family formation"—that is, the number of men and women who marry (or otherwise take up housekeeping)—but the number of second children born, which correlates most closely with demand for new residential housing. And that number, too, is down. All that can be done by pumping money into housing in these circumstances is to drive up the price, which, I suspect, has been the only effect of all the governmental housing policies all along.

We are not "underhoused" in this country. We probably have too large a stock of housing, though, of course, it is not all in the places where the people are or want to be. What is needed is a policy that enables people to maintain the value of existing houses; whereas most of our present policy, beginning with rent control and continuing on to the exceedingly high interest rates for housing renewal, has the opposite effect and is—consciously or not—meant to discourage people from maintaining their homes and to encourage them to acquire or build a new one. And that cannot work.

The third myth is that deeply ingrained belief that we, in this country particularly, practice "planned obsolescence" of products—and especially of automobiles. What we have been obsoleting and rapidly is the first owner of a car.

The American automobile, in fact, has a longer working life, measured in miles driven—the only sensible yardstick—than any other automobile. Indeed, the American system, under which people trade in their new car after a year of two, represents, without being planned, the most effective form of "income distribution" we have in this country—since the first owner pays about twice as much per mile as the third owner (if you include total expenses) so that the poorer people get cars in excellent working condition, good for another 50,000 miles, at a substantially lower price than the first owner paid for what is essentially vanity.

Assuming a new car price of $4,000, the first owner, driving an average of 10,000 miles a year, pays 28⅓ cents a mile, consisting of a loss in the car's value of $1,200 and a mileage cost of 13⅓ cents. The second owner, paying $2,500 (the dealer taking a slight loss normally) and keeping the car for three years, pays 20 cents a mile (a loss on the car of $2,000, $500 in repairs and 13⅓ cents a mile). The third and final owner, who pays perhaps $700 and drives 50,000 miles after which the car is worthless, pays 16 cents a mile.

A more equitable form of income distribution has never been designed. The car itself does not become "obsolete"; on the contrary, it keeps going on.

My fourth myth would be that basic belief, ingrained in practically all of our economists today, that there is in the American economy, or in any other developed one, a tendency towards "oversaving."

This is largely the result of the belief that buying a house, paying Social Security or contributing to an employe retirement fund is "saving." But these are, in effect, "transfer payments." The only viable definition of "savings" is "funds which are available to create jobs." Housing does this to a minimal extent and Social Security not at all. Other key private pension funds, unless raided by irresponsible and shiftless elements such as have shown themselves in some recent union situations, will still accumulate capital for a few more years before their pension payments equal the amounts paid in.

Thus the savings in this country are grossly "undersavings." And we need to think through how to stimulate genuine savings—that is how to form capital available for investment in productive assets (the residential home is not such an asset by the way; it is a "durable consumer good").

TAXES AND PENSIONS

Fifth, there is the general belief that the corporation income tax is a tax on the "rich" and on the "fat cats." But with pension funds owning 30% of American large business—and soon to own 50%—the corporation income tax, in effect, eases the load on those in top income brackets and penalizes the beneficiaries of pension funds. In many cases it means an effective tax of almost 50% on the retired worker, as compared with the 15% or less that he is supposed to pay. The corporation income tax has become the most regressive tax in our system, and a tax on the wage earner and on wages. Eliminating it would probably be the single largest step we could take toward greater equality of incomes in this country.

Finally, there is the nice phony figure, believed by everybody and quoted again and again that the top 5% of income earners (those making more than $30,000 or $40,000 a year) own 40% of the personal wealth of America. It is, of course, becoming particularly popular as the old figure of "distribution of income" no longer supports those who tell us how terribly unequal American society is.

The joker, of course, is the word "personal." For the single greatest asset of the typical American middle and working class family, its future contingent claim on the pension fund of the employing company, is not "personal wealth." Nor is it "property." But it surely is an asset and increasingly worth a great deal more than the family home or the family automobile. If it were included, and it is not difficult to do so on a proability and a statistical basis, the distribution of wealth in this country would show a remarkable and progressive equality in which age rather than income is the factor making for inequality.

The adjustment for contingency claims on pension funds would show that the top 5% income earners probably own, not 40% of the wealth of America but no more than

10%. Moreover, translating pension expectations into today's values, about 60% of the total amount of future pension claims is held by persons in the $9,000 to $20,000 wage bracket. This is by far their biggest asset. Yet, sadly, it is an asset being destroyed very rapidly by the impact of inflation.

These myths that I have enumerated are not harmless. They lead to "soak the rich" legislation which, in effect, then "soaks the poor," the former workers on pensions. They lead to policies enacted as "antirecessionary," which primarily fuel inflation without stimulating consumption or employment, And these myths inhibit right measures—measures to encourage capital formation. Indeed, unless we discard these myths and face up to economic reality, we cannot hope to have effective economic policies.

UNITED STATES-LATIN AMERICAN RELATIONS IN THE CHANGING MID-70'S—III

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. LEHMAN. Mr. Speaker, this is the third installment of the paper of Dr. Federico G. Gil, which was recommended to me and to my colleagues by my constituent, Dr. Ione S. Wright. This section of Dr. Gil's paper, "United States-Latin American Relations in the Changing Mid-70's" describes nations rising to new prominence in Latin America, and discusses impact of Cuba on Latin Americans' views of our hemisphere.

The article follows:

UNITED STATES-LATIN AMERICAN RELATIONS IN THE CHANGING MID-70'S—III

New actors have entered the Latin American international stage. The Peruvian military government headed by General Velasco Alvarado, after embarking on a series of significant social and economic reforms underlined by a strong nationalistic line has awakened much interest among Latin Americans. It has developed close ties with the Soviet Union through the purchase of military equipment, and its relations with Cuba are most amicable. The "Peruvian solution" or peruvianismo, as it is often called in Latin America, has captured the imagination of significant numbers of the non-Communist left.[6] It is not surprising then that Peru aspires to a leading role in inter-American affairs.

Another new and formidable contender for Latin America's leadership is Venezuela. The sudden quadrupling of oil prices has made that nation a power broker in hemispheric politics. It has already committed hundreds of millions of dollars to Latin American development and it has agreed to financially support Central America to maintain the prices of that region's agricultural exports. Venezuela knows, in the words of its leader President Carlos Andrés Pérez that this is her opportunity to create a new international order and it obviously does not intend to forego that chance. The country is expanding its state-owned industry in the Orinoco backlands, paying to educate thousands of future leaders at universities abroad, and, at the same time, it is forging ahead in the task of consolidating the fragile edifices of Latin American unity and solidarity. President Pérez's decision to support the Central American Market marked the beginning of Venezuela's diplomatic offensive. At the conference of Puerto Ordaz in Guayana, December 1974, Venezuela agreed to provide oil to the Central American republics at a discount price and to make the difference, to be deposited in the central banks of the area, available for bilateral projects. It also pledged 80 million dollars to finance a proposed coffee marketing organization to limit coffee exports and keep prices at a higher level. In return, Venezuela asked only for good will and a reasonable return (8 per cent) on loans. President Pérez once stated that Venezuela's oil is Latin America's oil. And he added "we have it to help in the welfare of our peoples and not for oppression or as an instrument to enforce political solidarity."[7] In spite of this disclaimer, no one will dispute that a fairly impressive degree of unity has developed behind the Venezuelan concept of what Latin America can hope to achieve. If efforts to stimulate Central American integration are successful, it is safe to predict that Venezuela's star will continue to rise not only in the Caribbean but in the rest of the continent as well.[8]

A third nation which has emerged as a first-class power in Latin American terms because of its symbolic significance, if only on the second or third class in terms of resources and military might, is Cuba. "The Cuban Revolution demonstrated that a small Latin American country, traditionally politically subordinated to and economically dependent on its northern neighbor, could successfully challenge the might of the preponderant power of the hemisphere."[9] The impact of Cuba's example has been incalculable. After sixteen years of trial and error, of some tragic economic mistakes, and costly improvisation in general, Cuba seems to be entering an era of consolidation and institutionalization under the most auspicious circumstances. Its gross national product grew at an annual rate of 13 per cent between 1970 and 1974, its gains in exports last year were 70 per cent up compared to 1973, and the construction industry is growing at a rapid pace. A five-year development plan will be submitted to the first Congress of the Communist party in November 1975.[10] Its extraordinary achievements in health and education are invariably the subject of admiration and praise by foreign visitors, particularly Latin Americans. Preoccupied with the task of institution-building and economic development, the Cuban regime, without repudiating its solemn commitment to continental social revolution, is no longer active in militarily exporting its own revolution. Fidel Castro has said that the Cuban Revolution showed Latin America that it was possible to "resist imperialism." He has also recognized, however that realistically there are no immediate prospects for a thorough revolution, adding that the objective conditions are present but the subjective ones are still lacking on the continent as a whole. But still he admits the existence of "positive, progressive changes," deserving of Cuban approval, in Mexico, Panama, Peru, Venezuela, and other countries.[11]

But, as impressive as are the accomplishments in health and education, what strikes the constant stream of Latin American visitors to the island more deeply is the strong feeling of solidarity and national identity which pervades all aspects of life in revolutionary Cuba. As Kalman H. Silvert put it after a recent visit, "Cuba is the first Latin American country to become a true nation-state, secular, partially egalitarian, aiming toward total participation, able to call on its people to show ultimate loyalty to fellow Cubans despite status-derived differences. With this accomplishment Cuba has joined the modern world. . . . It has built a social nation, the tool for the realization of more difficult dreams."[12] It is on this intangible but formidable achievement—the creation of a national community—that Cuba's influence and prestige among the Latin American nations rests today.

FOOTNOTES

[6] Federico G. Gil, "Foreword," in Arpad von Lazar, *Latin American Politics: A Primer*, (Boston: Allyn and Bacon, Inc., 1971), p. xi.

[7] *Times of the Americans*, January 17, 1975.

[8] *Latin America, vol.* VIII, No. 5, December 29, 1974, pp. 393–94.

[9] Gil, *Latin American-United States Relations*, p. 229.

[10] *Latin American Report*, Vol. III, No. 6, January, 1975, p. 3.

[11] *Excelsior*, January 10, 1975.

[12] Kalman H. Silvert and Frieda M. Silvery, "Fate, Change, and Faith," *American Universities Field Staff Reports*, (North America Series), Vol. II, No. 2, September, 1974.

LEGAL ISSUES INVOLVED IN COMMERCE DEPARTMENT'S REFUSAL TO DISCLOSE BOYCOTT-RELATED INFORMATION

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. DRINAN. Mr. Speaker, in the face of a congressional subpena, requests made by a number of House committees, and a Federal lawsuit, Secretary of Commerce Rogers Morton continues to refuse to disclose the names of those companies which have been warned or charged for violating boycott reporting requirements. The Export Administration Act of 1969 requires American firms to report any boycott-related demands communicated to them in connection with their commercial transactions. Available evidence indicates that this requirement was largely ignored until 1975. The publicity generated by the Arab boycott earlier this year focused attention on the Commerce Department's failure to enforce the reporting requirement and its neglect of the Government's general policy to oppose restrictive or discriminatory trade boycotts. While the Department of Commerce still tacitly supports the boycott through policies described beginning on page 29884 of the September 23 RECORD, it has issued warning letters to 162 exporters thus far this year for failure to obey the boycott reporting requirements.

Secretary Morton has repeatedly refused to disclose the names of those companies on the grounds that such disclosure would be in violation of section 7(c) of the Export Administration Act. In asserting that claim, Secretary Morton obfuscates the crucial difference between information supplied by exporters under a promise of confidentiality and action taken by the Commerce Department against exporters who have failed to supply the requisite information. If I may draw an analogy, an individual's tax return is confidential, yet the bringing of tax evasion charges against an individual based upon his tax return would not in itself be kept secret.

This particular point was the focus of a recent exchange of letters between David A. Brody, Director of the Washington Office of the Anti-Defamation League of B'nai B'rith, and Commerce

Secretary Morton. Mr. Brody presents a cogent legal argument for disclosure of the warning letters issued to exporters, based in large part upon an examination of the legislative history of the Export Administration Act dating back to 1949. Mr. Brody correctly notes the irrationality and inconsistency of keeping charging and warning letters secret while disclosing final punitive action taken against boycott reporting violators.

Secretary Morton's reply largely ignores the case for disclosure made by Mr. Brody. The Secretary tries to draw a distinction between the disclosure of a criminal indictment and the disclosure of an administrative warning. In the former case, he argues, the public's presumption of ignorance is clear, while the latter instance carries a clearer inference of illegal conduct. This line of reasoning appears to be spurious. If a company has been warned for doing something illegal, why should not that fact be made public? Why should the company's image be protected against public knowledge of its activities? At the same time, many persons' images have been tainted by a criminal indictment, even if their innocence were eventually established. If public disclosure can occur in only one of these two instances, I would prefer that it focus on those issued warnings for violating administrative requirements. On the other hand, I see no reason why we must make such a choice, and would thus advocate the disclosure of criminal indictments and administrative warnings alike.

I hope that the Secretary of Commerce will reverse his position and agree to release this important information. Without the effects generated by public disclosure, administrative warnings in the boycott field have minimal impact. If Secretary Morton continues to resist disclosure, I assume that this issue will eventually be resolved by the Federal courts.

The text of the correspondence follows:

FREEDOM OF INFORMATION APPEAL

ANTI-DEFAMATION LEAGUE OF
B'NAI B'RITH,
Washington, D.C. July 8, 1975.

The SECRETARY,
Department of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: This is an appeal from the action of the Director, Office of Export Administration, (hereinafter called the "Director,") dated June 11, 1975 denying our request of May 27, 1975 for access to the charging and warning letters referred to in Department of Commerce news release G 75–76, dated May 21, 1975. Copies of our request and the Department's response are attached.

The Department's letters (a) charged five domestic exporters[1] with violating the mandatory reporting requirement of the Export Administration Act in failing to report the receipt of Arab requests to participate in the boycott against Israel, and (b) warned 44 others that they were violating the law in failing to report the receipt of similar requests. As grounds for this appeal, we assert:

1. That the Director erred in holding that these letters are exempt from disclosure under Sec. 7(c) of the Export Administration Act of 1969. 50 U.S.C. App. Sec. 2406(c). The language of Sec. 7(c), its legislative history and the judicial interpretation of the Freedom of Information Act make plain that Congress never intended Sec. 7(c) to provide a sanctuary for and shield exporters who violate the law by failing to report the receipt of boycott requests.

2. If the Director's ruling is nevertheless upheld, considerations of national policy require you to make a determination that the withholding of these letters is "contrary to the national interest."

Section 7(c) provides "No department, agency, or official exercising any functions under this Act shall publish or disclose information obtained hereunder which is deemed confidential or with reference to which a request for confidential treatment is made by the person furnishing such information, unless the head of such department or agency determines that the withholding thereof is contrary to the national interest."

In denying our request, the Director asserts that information gathered in the course of the Department's investigation and the matters related thereto must be kept confidential under Sec. 7(c). We submit that the Director's reliance on Sec. 7(c) in the limited circumstances of this case is misplaced.

Section 7(c) was adopted in 1949 as Sec. 6(c) of the Export Control Act of 1949. In its report on the bill, the Senate Committee on Banking and Currency stated that the Section prohibited the "disclosure of confidential information furnished" (emphasis added). S. Rept. 81–31, 81st Cong. 1st Sess. 6 (1949). In enacting Sec. 7(c) Congress plainly intended to prohibit only the disclosure of information furnished by the exporter. It did not intend to protect exporters who violated the law by failing to report the receipt of boycott requests and thereby compel the Department to ferret out that information on its own initiative and through its own investigation. To invest with a cloak of confidentiality information so obtained is to distort the intent of Congress in enacting Sec. 7(c).[2]

Secondly, we submit that the charging and warning letters do not in any event constitute confidential "information."[3] Rather, they represent departmental actions. They constitute the results of the Department's investigative and enforcement activities, Cf. *Wellford* v. *Hardin*, 444 F. (2d) 21, 24, 25 (4th Cir. 1971) and as such do not fall within the protective cloak of Sec. 7(c).

In construing the "investigatory files" exemption of the Freedom of Information Act, 5 U.S.C. 552(b)(7), a provision analogous to the Sec. 7(c) confidentiality provision, the Court in *Wellford* held that warning letters do not fall within the ambit of that exemption. The Court drew this controlling distinction between warning letters which are "the written records of regulatory action already taken" and "the information gathering steps" which constitute the exempt investigatory files, Id., at 24.[4] It is clear from *Wellford* and from its plain language and legislative history that Sec. 7(c) cannot reasonably be interpreted to support the Director's view that the charging and warning letters constitute confidential information exempt from disclosure.

To say, as does the Director, that access to the letters must be denied because they contain information which is exempt from disclosure is to give Sec. 7(c) an excessively broad reach not warranted by either the plain language or intent of the section and would have the effect of insulating from public scrutiny the actions of the Department. If instead of proceeding administratively against the exporters, the Department had referred the cases to the Department of Justice for criminal prosecution under Sec. 6(a) of the Export Administration Act, 50 U.S.C. App. 2405(a), the information[5] filed by the United States Attorney would become public. Under the Director's reasoning, however, the information would have to be kept secret. Similarly, the orders issued against the four exporters who did not contest the charges and which have been made public would also have to be withheld because they contain the same information contained in the letters which the Director has held to be exempt from disclosure under Sec. 7(c).[6] Clearly there is nothing in Sec. 7(c) to warrant and support this difference in treatment between the initial charging and warning letters and the final orders.

II

As a separate ground for this appeal we submit that withholding these letters from public inspection is contrary to the national interest. Not only is it national policy to oppose the Arab boycott, Sec. (3) (5) of the Export Administration Act, 50 U.S.C. App. 2402(5), but it is also a violation of the Act punishable by fine or imprisonment for a U.S. exporter not to report the receipt of a request to participate in the Arab boycott, 50 U.S.C. App. 2403(c) and 2405(a). The action of the Director in refusing to disclose the warning and charging letters can therefore only frustrate and do violence to the will of the Congress, encourage non-compliance with the reporting requirement of the law and otherwise prejudice the public interest.[7] As such the Director's action is plainly contrary to the national interest and accordingly it is incumbent upon you to make a determination to that effect.

For the foregoing reasons we urge that the action of the Director in denying our request be reversed.

Since our appeal is based on two independent grounds, one of which would obviate the need for you to make the statutory determination that withholding access to the charging and warning letters is "contrary to the national interest" we are also sending a copy of this appeal to the Assistant Secretary for Domestic and International Business.

Sincerely,

DAVID A. BRODY,

FOOTNOTES

[1] Since the receipt of the Department's response, four of the five charged exporters have each agreed to the imposition of a $1,000 civil penalty.

[2] While the first part of Sec. 7(c) speaks of "information obtained hereunder" and the second part refers to the "person furnishing such information" it is plain that "information obtained hereunder" means information obtained from and disclosed by the exporter. See Cong. Rec., Feb. 17, 1949, p. 1396.

[3] The Freedom of Information Act exempts from disclosure information obtained from a person in confidence, 5 U.S.C. Sec. 552(b)(4) as well as information specifically exempted from disclosure by statute, 5 U.S.C., Sec. 552(b)(3). See *Administrator, Federal Aviation Agency* v. *Robertson*. — U.S. — Slip Opinion, June 24, 1975.

[4] It is worth noting that when Congress amended the Freedom of Information Act in 1975, Public Law 93–502, it amended Sec. 7(b) to overturn certain judicial interpretations of the exemption. S. Rept. 93–122, p. 12. The principle of *Wellford*, however, was left untouched.

[5] Since the punishment under Sec. 6(a) is a maximum of one year in prison, prosecution is by information and not by a grand jury indictment.

[6] It is no answer for the Department to say that it desires to protect the identity of the exporter from possible embarrassment because he may contest the charges and ultimately prevail in the administrative proceeding because under the regulations, 15 C.F.R. Sec. 388.18 it is our understanding that all orders including an order dismissing a charge are available for public inspection.

[1] In addition as we have indicated p. 3 *supra*, the Director's action would also produce an incongruous result. In a criminal prosecution the requested information would become available as soon as the exporter is charged. But, in the case of the administrative compliance proceeding, the charging and warning letters and their contents are kept from the public.

THE SECRETARY OF COMMERCE,
Washington, D.C. August 14, 1975.

Mr. DAVID A. BRODY,
Director, Anti-Defamation League of B'nai B'rith, Washington, D.C.

DEAR MR. BRODY: This is in reply to your letter of July 8, 1975, appealing the denial of your request for access to "the charging and warning letters referred to in Department of Commerce news release G75-76, dated May 21, 1975."

You have stated that you do not believe that the letters you request are exempt from disclosure under Section 7(c) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. § 2406(c). However, as you were previously advised, Section 7(c) requires that information obtained under the Act which is deemed confidential be withheld unless I determine "that the withholding thereof is contrary to the national interest." In other words, it is not a question of not being required to disclose the information, but rather of being required not to disclose it, unless I expressly determine that it is contrary to the national interest to withhold it.

Section 7(a) of the Act, 50 U.S.C. App. § 2406(a), specifically authorizes investigations and the obtaining of information "to the extent necessary or appropriate to the enforcement of this Act." To comply with your request for access to the charging and warning letters would require disclosure of information obtained pursuant to the exercise of authority under Section 7(a) which is protected by Section 7(c) as "information obtained under the Act which is deemed confidential."

The argument you make through reference to the "investigatory files" exemption of the Freedom of Information Act, 5 U.S.C. § 552 (b)(7), and *Wellford* v. *Hardin*, 444 F.2d 21 (4th Cir. 1971), is not well founded. The (b)(7) exemption is in no way analogous to Section 7(c) of the Export Administration Act. Section 7(c) is a specific mandate by congress that information obtained through the export administration function which is deemed confidential must be withheld subject to a national interest determination. Such a confidentiality provision is not contained in the agricultural statutes before the court in *Wellford*. Accordingly, the decision in that case was premised on section 552(b)(7) of the Freedom of Information Act and does not, as the instant matter, depend on the application of section 552(b)(3).

The Supreme Court did have a confidentiality provision, section 1104 of the Federal Aviation Act of 1958, 49 U.S.C. § 1504, before it, however, in the recent case of *Administrator* v. *Robertson* (No. 74-450, decided June 24, 1975), which involved a denial under section 552(b)(3) of the Freedom of Information Act of a request for protected information. The Court observed that in enacting the Freedom of Information Act the Congress did not intend to modify the numerous statutes which restrict public access to Government records.

The argument you present concerning the legislative history of section 7(c) misconstrues the statutory scheme. You quote a portion of the Senate Report to the effect that there is a prohibition against "disclosure of confidential information furnished." This is true, and the sentence from which this quote is taken is a discussion of the safeguards in the Export Control Act of 1949, the precursor statute to the 1969 Act, against administrative misuse of the enforcement powers which are continued as section 7(a) and (b) of the present Act. The quotation merely describes one of the safeguards which are enumerated. See pp. 5-6, S. Rept. 81-31, 81st Cong., 1st Sess. (1949). It is incorrect, however, to construe that quote and the use of the phrase "person furnishing such information" in section 7(c) as evidence that "Congress plainly intended to prohibit only the disclosure of information furnished by the exporter." Section 7(c) relates to any information obtained under the Act "which is deemed confidential *or* with reference to which a request for confidential treatment is made by the person furnishing such information." Thus, information which is deemed confidential, is subject to the statutory privilege if obtained pursuant to the exercise of authorized functions under the Act.

The statutory privilege contained in Section 7(c) of the Export Administration Act of 1969 was enacted both for the benefit of government, and the persons supplying information to the government. Thus, the disclosure of material under the exceptional circumstances warranting a national interest determination is not one to be arrived at lightly whenever it appears expedient for government to do so. In considering the national interest in the context of the Export Administration Act, the threshold criterion is the extent to which the disclosure of information to which the Congress has accorded confidential status could impair the continued ability of this Department to obtain the timely, complete and accurate data that is essential to the effective discharge of its statutory duties and responsibilities.

The information on which the warning and charging letters were based, including the identity of the companies involved, was initially developed by this Department primarily on the basis of analysis of Shippers' Export Declarations which are required pursuant to the Act to be submitted to the Department by all exporters. You will note from the enclosed copy of the declaration form that exporters are expressly advised that the information they submit is confidential. The review of Export Declarations for exports to selected destinations, supplemented with inspection of individual company export control documents, other company records, field investigations and comparison against boycott reporting forms, all are conducted under the authority of Section 7(a) of the Act and information obtained thereunder by the Department is, therefore, deemed confidential under Section 7(c).

As you know, four of the five cases in which charging letters had been issued have now been settled through the imposition of civil penalties. The identities of those four firms and the circumstances are described in the enclosed news release which was issued on June 27, 1975. It is anticipated that charges against the fifth firm will be withdrawn and a warning letter issued instead. That firm failed to report a boycott request which it received in 1974, a year before our publicity campaign. A charging letter was issued on the erroneous belief that the same firm had failed to report the receipt of a boycott request in 1968 and had been warned at that time to comply with our boycott requirements. In fact, this firm had never been contacted and it should therefore be treated in the same manner as those firms which were found to have violated our reporting requirements through inadvertence or ignorance of our regulations.

Having in mind the prohibition against disclosure contained in Section 7(c), I must now consider whether there exists in this case any overriding national interest which would authorize me to accede to your request.

The charging and warning letters you request are deemed confidential by this Department for purposes of Section 7(c). The charging letters are an integral part of compliance proceedings which are declared confidential by 15 CFR § 388.14. The warning letters have been treated as confidential by administrative practice over the years.

Disclosure of the identity of the firms which were issued the letters could expose many of these to countermeasures and pressure by various individuals and groups, notwithstanding that, in the case of firms receiving warning letters, the violations of the Export Administration Regulations were considered to have been inadvertent. In arguing for disclosure you make an analogy to the information filed by a United States attorney which is publicly disclosed. However, in that context the public's understanding of the presumption of innocence is clear. An administrative warning of wrongdoing carries a clearer inference of illegal conduct in the public mind: there is the taint of the allegation (if it were to become public knowledge), but no opportunity for a public forum to air the issues and in the case of the warning letter, no later adjudication.

Thus, I do not think that disclosure of the identities of the firms receiving warning letters would serve a constructive purpose or be in the national interest, and in fact, I am convinced that such disclosure might very well have the opposite result. I feel that disclosure would be of great potential damage to the small exporting companies now developing their trade with Middle Eastern markets and gaining of the public interest, it should be far more important to publish information as to the aggregate number of warning and charging letters issued by this Department than to disclose the names of the individual firms, and expose them to economic reprisals.

From the standpoint of enforcement of our reporting requirements, all the firms which have been warned will be subject to periodic monitoring to assure that they are fully complying with our regulations. In the event that any of these firms are found to have failed to report a subsequent boycott request, they will be charged and their identity disclosed, following compliance proceedings, if the violation is found to have occurred. I believe that the enforcement actions taken by the Department to date, coupled with the publicity given thereto, and our extensive educational campaign on the reporting requirements, are proving to be a sufficient deterrent against future violations, and that no useful purpose would be served in disclosing the identity of firms which have been warned.

In light of the foregoing, and other considerations, I am unable to conclude that it would be contrary to the national interest to withhold the letters and/or identities which you request and, therefore, I must hereby deny your request, under section (b)(3) of the Freedom of Information Act.

This is the final decision for the Department. You have the right to obtain judicial review of this decision by an appropriate U.S. District Court as provided under section 552(a)(4)(B) of the Freedom of Information Act.

Sincerely,

ROGERS MORTON,
Secretary of Commerce.

EXCERPTS OF SPEECHES BY PRESIDENT TEDDY ROOSEVELT

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. CARTER. Mr. Speaker, recently I was reading some speeches by Presi-

dent Teddy Roosevelt. Some of his words particularly appealed to me, as I feel they will to Americans.

I include excerpts from those speeches for the RECORD:

I want to see you game boys, I want to see you brave and manly and also to see you gentle and tender. Be practical as well as generous to your ideals. Keep your eyes on the stars, but remember to keep your feet on the ground.

Courage, hard work, self mastery and intelligent effort are all essential to successful life alike for the nation and the individual. The one indispensable requisite is character.

A man's usefulness depends upon his living up to his ideals insofar as he can. It is hard to fail, but it is worse never to have tried to succeed. All daring and courage, all iron endurance of misfortune makes for a nobler type of manhood.

Order without liberty and liberty without order are equally destructive.

Ours is a government of liberty—by and through and under the law. A great democracy has got to be progressive or it will soon cease to be a great democracy.

In popular government results worth having can be achieved only by men who combine worthy ideals with practical good sense.

Only those are fit to live who do not fear to die. And none are fit to die who have shrunk from the joy of life and the duty of life.

TEMPLE UNIVERSITY CANCER RESEARCH

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. EILBERG. Mr. Speaker, outstanding progress in an area of cancer research is being made at Temple University School of Medicine in Philadelphia.

Temple has long had one of the Nation's leading centers for basic cancer research in the Fels Research Institute. Now, Dr. Wallace H. Clark has bred animal models with skin pigmentation similar to human skin, and has found that malignant melanoma progresses in these laboratory animals much as it does in man.

This work has attracted the attention and support of the National Cancer Institute.

At this time I enter into the RECORD a statement from the university describing this important research:

TEMPLE MELANOMA STUDY MAY PROVIDE CLUES TO NATURE OF CANCER

PHILADELPHIA.—Two light brown guinea pigs died in a laboratory at Temple University School of Medicine this summer.

Their deaths have provided scientists with what is termed an exciting new avenue toward a better understanding of the nature of cancer and better therapy for victims of malignant melanoma, a relatively uncommon but sometimes deadly form of skin cancer.

Because the guinea pigs died of malignant melanoma and because the animals are a strain with an unusually even distribution of skin pigmentation, much as man has, scientists think they provide a parallel approach to the study of melanomas in humans.

Dr. Wallace H. Clark, professor and chairman of pathology at Temple's School of Medicine, who headed the experiments on the Weiser-Maple strain of guinea pigs, now grown only at Temple, said:

"The guinea pigs will provide an animal system that can be manipulated so that over the next 20 years it will be possible to do things in experimental therapy for this disease that has never been done before. The more important aspect in the long run is that it provides an excellent approach to the study of primary cancer. Now we can see if we can alter the development of tumors to prevent the emergence of the kinds of cells capable of spreading.

"In general, we can explore this animal system and try to find clues to the nature of cancer, hopefully to provide a proper and accurate definition of cancer as a biological system."

Dr. Clark, who has developed the standard system for classification of various human malignant melanomas of the skin, began studying the disease 20 years ago. He bought the last few remaining Weiser-Maple guinea pigs from a company that was going out of business. The colony has grown to nearly 400.

Melanomas had been developed in two other guinea pig studies, one in 1949 and another in 1963, but it was difficult because of patchy pigmentation of the animals' skin. These prior studies had not been repeated.

The even coloring of the Weiser-Maple strain makes it much easier to carry out such tumor experiments.

In the Temple study, Dr. Clark said, the cancer eventually spread into the lungs, liver and gastro-intestinal tract of the animals just as it may in man, causing the death of two guinea pigs July 22.

Dr. Clark also noted that in other laboratory animals melanomas can be transplanted, but they grow at the site of the transplant. They do not appear to spread through the animal's systems the way the cancer did in the Weiser-Maple strain.

"Rather than approach the disease from its cause," he said, "we look at the evolutionary biology of the cancer and try to determine what factors in the primary tumor are related to metastasis (spreading). In these animals, the cancer apparently spreads the way it does in man. I think these animals will get wide use in exploring the nature and treatment of this cancer to help determine the best therapy and perhaps even wider use in exploring the biology of the abnormal life form that is cancer."

On the basis of Dr. Clark's classification system, therapy—either chemical, immunological or surgical—is keyed in man to the kind and extent of the primary melanoma in the skin. He has already studied the development of similar various forms of skin melanomas in more than 500 human patients.

There are three common types of this cancer and five levels of invasion, depending on how deep the tumor penetrated into the various underlying skin tissues. Level five is the deadliest.

The three common types are termed Superficial Spreading Malignant Melanoma, which is the most common type with the highest survival rate in early stages; Lentigo Maligna-Malignant Melanoma, related to chronic sunlight overexposure; and Nodular Malignant Melanoma, potentially the most fatal because of the likelihood of deep penetration from its beginning.

The Clark system has resulted in the formation of a rational basis for treatment of these melanomas and has shown that many patients will be cured of the disease with forms of treatment that are less drastic than used in previous years.

"Until this system," Dr. Clark said, "it was assumed that patients with melanomas would die. But many live, and we can now say who will not die and what his chances are. It changes a patient's outlook on life."

Dr. Clark also noted that the median age of patients with melanomas is dropping and is now in the 40-to-50 year range, with some patients in their twenties and thirties.

NEW AGENCY TO ENFORCE IMMIGRATION LAWS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. ROSENTHAL. Mr. Speaker, the impact of the millions of aliens who reside in the United States illegally is felt primarily in selected cities and local communities. The Eighth Congressional District in Queens, N.Y., which I represent, has been particularly hard hit by the presence of thousands of illegal aliens. Community facilities, such as schools and homes, are being strained to the breaking point and deserving residents are being crowded out of jobs.

In response to this crisis situation, I established a task force on illegal aliens, composed of community leaders from neighborhoods especially affected, to report to me on particular aspects of this problem. A major finding of the task force indicates that Federal authorities are restricted in their efforts to cope with this problem by a severe lack of coordination between the two agencies charged with responsibility in the area: the Visa Office of the State Department and the Immigration and Naturalization Service of the Justice Department. The task force has concluded, based on what I consider persuasive evidence, that as long as the duty of issuing visas is separate from the duty of enforcing compliance with visa terms, no amount of additional funding or incentive—both also urgently needed—will allow this problem to be solved.

Under the present arrangements, the visa issuers—State Department consular officials—receive no information from the visa enforcers—INS—as to the number and nature of aliens overstaying their visas. This makes it impossible for the issuers, with the wide discretion they possess, to evaluate and adjust their procedures accordingly. There is not even a unified policy on the number of visas and the criteria to be used in issuance. None of these difficulties can begin to be corrected as long as officials of different departments, with different perspectives, priorities, and fiscal constraints, must consult on even the most basic principles and approaches.

To combat this fatal lack of cohesion, the task force has recommended, and I will shortly introduce, legislation creating a single regulatory agency having jurisdiction over all matters concerning foreign persons entering the United States, with the combined functions of the Visa Office and the INS. This agency would be independent of the Departments of State and Justice and not subject to the pressures of foreign governments of the one department or the priority problems of the other.

The problem of millions of illegal aliens enjoying all the benefits of citizenship in this country without any

of the burdens is a matter of urgent national concern. In a time of recession, the United States can ill afford to support with jobs, housing, welfare, and community services millions of people who have entered this country through device and deceit. The massive indifference and confusion which has characterized Federal efforts in this area must stop.

Asking employers alone to bear the burden of past Federal neglect is futile and unfair. The buck will not stop passing until a single Federal agency, with a consistent policy and perspective, free from political pressures and subject to full public scrutiny, is established to bear complete responsibility for the problem.

HEARINGS ON H.R. 15

HON. ALLAN T. HOWE

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. HOWE. Mr. Speaker, I would like to call attention to hearings that began on September 11 in the Administrative Law and Governmental Relations Subcommittee of the House Judiciary Committee on H.R. 15, the Public Disclosure of Lobbying Act of 1975. I am a cosponsor on this bill which is long overdue and hopefully represents a first step toward more comprehensive legislation in this area.

Efforts directed at the regulation of lobbyists have been launched by Congress intermittently since 1913. At present, the only Federal statute relating to lobbying is the Federal Regulation of Lobbying Act, passed as part of the Legislative Reorganization Act in 1946. Upon close inspection, this act is sadly ineffective in its loose mandate requiring registration only by those whose principle occupation is lobbying, and those paid to lobby by someone else. A Supreme Court decision in 1954 further undermined its effectiveness by interpreting lobbying efforts covered by the act as only those involving direct contact with a Member of Congress, thus ignoring the whole spectrum of indirect lobbying. Frankly, I think the best incentive to pass another lobbyist registration act lies in the fact that almost 30 years has gone by since any kind of regulation went into effect. During this time the lobbying picture in Congress has changed dramatically with noticeable increases in number, strength, financial support, and influence. With this brief history in mind, I would hope the 94th Congress seriously directs itself to this important issue and follows through with comprehensive reforms for a situation it has too long neglected.

H.R. 15 precisely defines what a lobbyist is and what lobbying activities consist of. It requires a lobbyist to file a notice of representation no later than 15 days after becoming a lobbyist. Each lobbyist is required to keep and retain records for inspection concerning income received and from whom, expenditures made personally and those made to any Federal officer or employee. This legislation also requires a lobbyist to file a report quarterly including a list of contacts, for whom they were made, and topics lobbied on during the previous quarter. A unique aspect to its coverage is the inclusion of not only Congress but the executive branch as well—above level GS 15—to report meetings between certain Government officials. The authority for administration and enforcement is placed with the Federal Election Commission to which all the filings and reports are made and fines for violation such as forgery, and false or incomplete filing would not be more than $5,000 and/or imprisonment for 2 years.

There have been several recent issues which have revived the Federal effort at regulation of lobbyists, among them Watergate-related events and various antitrust matters. Whereas the Federal forum has been marked by inaction in this area, progressive legislation has been enacted by several States, notably California, to control lobbying activities at the regional level. Despite critics who consider the law unconstitutional, California is actively enforcing its law. The issue of lobby regulation and its constitutionality is also being tested in the courts. Groups such as Common Cause, who have long urged reform of the ancient 1946 statute, have filed suit against organizations such as the National Association of Manufacturers—NAM—claiming that they failed to file as lobbyists under the 1946 act guidelines. The Justice Department, in 1974, announced intentions to move against several groups for the same reason of failing to file as lobbyists. Among their targets are the National League of Cities, National Association of Counties and the U.S. Conference of Mayors. I think it is a well taken criticism of Congress, which is certainly the most overtly lobbied of groups, to have been so blatantly absent from the list of groups acting on this problem.

Instead of the critical tone I have maintained thus far, I would now like to direct my appeal to the long-range benefits enactment of this legislation would represent and the spirit in which such a measure should be considered. I would like to emphasize that this bill is not intended to curtail or restrict the very important function that lobbying serves. Certainly, we all recognize lobbying provides a vital connection between private and commercial sectors and all elected representatives, supplying valuable information and bringing varied points of view to our attention. This bill does not seek to eliminate or hamper this function but simply to define it and through this clarification to curb abuses. As important as it is to preserve the lobbyist as a source of input, it is equally essential for constituents and representatives to e aware of the strength, backing, and purpose of these sources. When a lobbying agency reacts to this fair and logical legislation as "muzzling restrictions" that inhibit its activity, I am inescapably led to the conclusion that they have something to hide. I reason that if their actions do not fit themselves into this fair framework of disclosure and withstand the scrutiny of public view, their activities should not be condoned

Lastly, I favor this bill with the same and are not legitimate practices.
conscience that urges me to support fair election laws, campaign financing reforms, conflict of interest legislation, and other disclosure measures. This conscience is one that views the public's "right to know" as paramount and esteems open and candid communication as a supreme virtue in the ranking of our responsibilities in a truly democratic system. Support for H.R. 15 is an action which bespeaks a belief in the integrity of representatives and lobbyists alike and is in harmony with the whole idea and intent of congressional reform.

CIA APPROPRIATION

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. FLORIO. Mr. Speaker, on October 1, 1975, while considering H.R. 9861, the Defense Department appropriation bill, the House of Representatives had the opportunity to vote on Mr. GIAIMO's amendment which read: Under "Other Procurement, Air Force," on page 29, line 17 after "September 30, 1978," strike the period and insert in lieu thereof: ": *Provided*, That none of the funds in this appropriation shall be available for expenditure by the Central Intelligence Agency."

I voted in favor of this amendment and I believe that a brief explanation of this vote be offered lest it be misconstrued. My intention, and I'm confident the intention of many of my colleagues who voted similarly, was not to delete funding of the Central Intelligence Agency, but rather to have the appropriation listed as a line item in other appropriations.

The following article from the New York Times gives a very clear picture of the legislative intent and the scenario surrounding the consideration of the Giaimo amendment.

The article follows:

[From the New York Times, Oct. 2, 1975]

HOUSE REJECTS, 267–147, MOVE TO DISCLOSE C.I.A. BUDGET TO THE PUBLIC

(By David E. Rosenbaum)

WASHINGTON, Oct. 1.—The House of Representatives decided overwhelmingly today to continue to keep the budget of the Central Intelligence Agency secret from the public.

By a vote of 267 to 147, the House rejected an amendment to a $112-billion military appropriation bill that would have permitted the total expenditures of the intelligence agency to be published for the first time.

The House also defeated an attempt to delete from the bill money for the development of the controversial F-18 fighter aircraft.

Final passage of the over-all measure was put off until tomorrow.

The bill would reduce the Ford Administration's request for military programs in the fiscal year that began July 1 by $7.6-billion. However, more than $2-billion of that reduction involves requested money for the Indochina War and for shipbuilding contracts that have been deferred since the budget was sent to Congress.

The Senate Appropriations Committee is expected to restore some of the cuts made by the House.

Representative Robert N. Giaimo, Democrat of Connecticut, who led the effort to publish the C.I.A. budget, said the rejection of his amendment showed that the House was not ready "to assume the responsibility" for overseeing the activities of the intelligence community.

FIGURE CONCEALED

Since the creation of the C.I.A., Congress has kept the agency's budget secret by concealing the figure in the appropriation for other agencies. This year, according to Mr. Giaimo, the appropriation for the intelligence agency is part of a $2-billion line-item in the budget described as "other procurement, Air Force."

Publication of the intelligence agency's budget was one of the principal recommendations of the Presidential commission headed by Vice President Rockefeller that investigated the C.I.A. earlier this year.

Until this year, the budget request of the agency and the amount eventually appropriated was known only to a handful of Congressmen.

This year, however, under pressure from Mr. Giaimo and others, Representative George H. Mahon, chairman of the Appropriations Committee permitted all members of his defenses subcommittee to interrogate C.I.A. witnesses about the agency's budget.

Moreover, Mr. Mahon, a Texas Democrat, agreed last week to permit all House members to read the testimony from agency officials and to see the budget as long as they agreed not to take notes or divulge the material to outsiders.

Mr. Giaimo called these actions "significant steps" but said they were not enough. Addressing the House, he declared:

"There is a balance in all secrecy matters. There are goals, and there are losses in defending ourselves against possible aggression from the outside. However, we must be careful that the very instruments which we create to defend us do not cause us to lose our liberties."

Mr. Giaimo said that he only wanted to publish the total appropriation for the agency, not the individual allotments for various activities. The overall figure, he said, would in no way compromise the nation's security.

Reliable Congressional sources who have seen in the budget figures over the years have placed the appropriation at between $750-million and $1-billion. That information has been widely published in the press, but has never been confirmed officially.

Mr. Giaimo's contention that the budget information would not compromise security was challenged by representatives from both parties.

Mr. Mahon said that official publication of the budget was "not a favor which we should be doing to the U.S.S.R. and the Communist conspiracy."

Representative Robert L. F. Sikes, a Florida Democrat, said that publication of the overall budget figure would eventually lead to "full disclosure of anything and everything we've tried to keep secret from our enemies."

Representatives Thomas P. O'Neill, Jr. of Massachusetts, the majority leader, and Representative John J. McFall of California, the Democratic whip, were among those who voted to keep the budget secret.

VETERANS' ORGANIZATIONS URGE SUPPORT OF H.R. 9576 TO TERMINATE GI BILL

HON. RAY ROBERTS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. ROBERTS. Mr. Speaker, on Monday, October 6, the House is scheduled to consider H.R. 9576, a bill which will set a final termination date for the Vietnam GI education bill. This program is patterned after the GI bills for World War II and Korea and has as its purpose the restoration of lost educational opportunities because of involuntary service during a war emergency period. The Vietnam emergency has been officially terminated. All other wartime veterans' benefits for the Vietnam war emergency period have been terminated, and it is now time to terminate the education program since we are no longer at war and there is no longer a draft.

Three members of the committee are opposing termination of the GI bill and in doing so are contending that the program should be kept going because it is needed to recruit volunteer soldiers. Their effort is also being supported by certain college groups who apparently think that the GI bill was designed as a subsidy for colleges. Information released by this group infers that "the committee's action to terminate the GI bill was made without support of the veterans' organizations." This statement is completely erroneous. The American Legion, Veterans of Foreign Wars, Disabled American Veterans and AMVETS all favor termination of the Vietnam education program for the obvious reason that the Vietnam war period has ended. In order to clear up any confusion that may have resulted from this erroneous assertion, I am including in the RECORD letters from these four organizations which clearly state the position of these organizations and urge a favorable vote on H.R. 9576.

Those arguing in support of continuation of the GI bill are claiming it is needed for recruitment of peacetime servicemen. I would like to emphasize that this subject is not the proper concern or jurisdiction of the Veterans' Affairs Committee. We do not have jurisdiction over recruitment of defense personnel and we do not have jurisdiction over subsidy programs to educational institutions. Regardless of the merits of either of these activities, they are not the objectives of the war veterans' educational training program.

The letters follow:

THE AMERICAN LEGION,
Washington, D.C., October 1, 1975.

Hon. RAY ROBERTS,
Chairman, House Committee on Veterans Affairs, Washington, D.C.

DEAR CHAIRMAN ROBERTS: The American Legion supports H.R. 9576 to set a termination date for veterans' educational benefits and to extend maximum educational benefits to 45 months. This bill, if passed, would satisfy two resolutions of The American Legion that were unanimously adopted by our National Organization. The copies of these two Resolutions, No. 17 and No. 541, are attached.

The American Legion is the original sponsor of the G.I. Bill of Rights, the goal being to provide for the effective rehabilitation of those who fought the Nation's wars. This was a concept, clearly defined in its dimensions, and The American Legion has not deviated from it through the ensuing wars and national emergencies.

We champion the principle that benefits for wartime veterans be reserved for the veteran who served in a period of hostility, cold war or national emergencies. Any educational and vocational programs that may be devised for members of the peacetime military establishment should be clearly differentiated from wartime benefits.

Mr. Chairman, The American Legion will inform each Member of Congress that we support your stated opposition to the extension of the present educational benefits.

Sincerely,

HARRY G. WILES,
National Commander.

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
September 30, 1975.

From: Thomas C. (Pete) Walker, Commander-in-chief, Veterans of Foreign Wars of the United States.

To: All Members, House of Representatives of the United States.

Subject: Termination of Educational Benefits under the GI Bill.

I have been advised H.R. 9576 which would terminate eligibility for education benefits under Title 38 of the United States Code for those entering military service after the end of this calendar year—will be taken up by the full House under the suspension of rules on Monday, October 6, 1975.

It has also come to my attention three members of the House Veterans' Affairs Committee, the Honorable Robert J. Cornell, the Honorable Robert W. Edgar, and the Honorable Harold E. Ford, voted against reporting this legislation and have filed an official "Dissenting Views" supplement to the committee report. In addition, Messrs. Cornell, Edgar, and Ford intend to circulate a "Dear Colleague" letter, with view toward blocking passage of H.R. 9576.

Although the legislation in question does not fulfill the position of the Veterans of Foreign Wars of the United States, we believe it is the best bill obtainable at this time, and, therefore, urge passage thereof.

The position of the Veterans of Foreign Wars with respect to the GI Bill is that it be continued in its present form, administered by the Veterans Administration, and charged to the Department of Defense budget, our rationale being it has proved a valuable recruiting tool and so used by the Department of Defense to obtain higher caliber personnel needed by our present-day military establishment with its proliferation of very costly and highly sophisticated equipment.

Although peacetime veterans are not eligible for membership in the Veterans of Foreign Wars and, for the reasons outlined above, as Commander-in-Chief of the 1.8 million members of the Veterans of Foreign Wars of the United States, I solicit your favorable vote when H.R. 9576 is considered by the full House.

With best wishes and kindest personal regards, I am

Sincerely,

THOMAS C. (PETE) WALKER,
Commander-in-Chief.

DISABLED AMERICAN VETERANS,
Washington, D.C., September 30, 1975

Hon. OLIN E. TEAGUE,
U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN: This is in reference to H.R. 9576, a veterans' bill favorably reported

out of the House Committee on Veterans' Affairs which is scheduled to receive consideration by the membership of the entire House on October 6th.

The main provision of this measure proposes to set a termination date for veterans' educational benefits under Chapters 34 and 36 of Title 38, U.S. Code (current GI bill benefits).

The current program has faithfully and well served the purpose for which it was intended—restoration of lost or postponed educational advancement opportunities to those inductees and enlistees who served during the Cold War period, 1955–65, and during the Vietnam Era conflict.

However, the circumstances which necessitated the inception of the current GI bill by the Congress—the existence of the military draft, and United States involvement in a military conflict—no longer exist. Therefore, the present GI bill should be terminated, as were the educational programs which served veterans of World War II and the Korean Conflict. The substantial funds no longer necessary to administer these educational benefits can be well-used in other VA programs which serve America's wartime disabled veteran, his dependents and survivors.

The Disabled American Veterans' most recent National Convention unanimously adopted a resolution calling for the termination of the present GI bill program. We therefore urge you to vote in favor of H.R. 9576.

Sincerely,

CHARLES L. HUBER,
National Director of Legislation.

AMVETS,
Washington, D.C., September 26, 1975.

Hon. RAY ROBERTS,
Chairman, House Veterans Affairs Committee, 2455 Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is written to convey the position of AMVETS (American Veterans of World War II, Korea, and Vietnam) with regard to H.R. 9576. It is our understanding that this legislation will be considered within the next few days, and we appreciate the opportunity of letting you know the feeling of our membership on this legislation.

It is very important that H.R. 9576 be approved without any amendments. It is our feeling that if educational benefits are to be provided for those citizens entering the service after May 7, 1975, such benefits should be provided under the budget of the Department of Defense. It would be a disservice to those honorably discharged veterans of World War II, Korea and Vietnam who were enlisted or were drafted and fought during war-time, for those entering service now to be recognized with veterans of war-time service.

We are cognizant of the fact that the Department of Defense feels that the retention of educational benefits for those entering service now is necessary for recruiting purposes. It is believed that if educational benefits are provided for those entering service after May 7, 1975 that the cost of the program should be assessed against the Department of Defense budget.

If the cost of educational benefits were to remain in the Veterans Administration budget, it will mitigate in the future, we feel, against the approval of compensation, pension, and hospital benefits for war-time veterans and also against benefits provided for widows and children of war-time veterans.

The approval by your Committee of H.R. 9576 is, therefore, greatly urged by this organization.

Sincerely,

PAUL C. WELSH,
National Commander.

TRIBUTE TO EDWARD W. SHORE

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. BOLAND. Mr. Speaker, on October 10, in my hometown of Springfield, Mass., a great many citizens plan to join in tribute to Edward W. Shore, perhaps the preeminent figure in professional hockey over the past 30 years. Those who will gather to honor Eddie Shore will not all be hockey fans, however. Eddie Shore's contributions to the community were never solely limited to the realms of athletics or entertainment. He provided the guidance and the opportunities for so many young people to play the sport and to learn the values teamwork and competition can bring. Most importantly, he helped young men and women develop in many ways that better prepared them for citizenship and adulthood.

If all the admirers and well-wishers of Eddie Shore are not sports fans, it is nonetheless fitting that accolades for this great athlete be headed by those who grew to know him through sports. Sam Pompri, who was formerly cosports editor of the Springfield Daily News and who also wrote for the Springfield Sunday Republican, covered Eddie Shore through all his years as a hockey player, coach, and manager. His tribute, which I append below, appeared in the September 28 edition of the Springfield Sunday Republican and presents Eddie Shore with all the scope and affection this truly fine man deserves. I can only join Sam in thanking Eddie Shore for his generosity to our city.

The article follows:

TRIBUTE TO EDWARD W. SHORE

Edward William Shore. A legend in his own lifetime. Known internationally as "Mr. Hockey" and to millions of sports fans and friends as just plain Eddie, our honored guest achieved in fifty years what few people could ever hope to match—as an athlete, coach, manager, executive, builder, teacher and humanitarian.

The first man in history to win the Hart Trophy, as the National Hockey League's most valuable player, four times; a member of the all-star team seven times; scored the amazing total of 108 goals in fourteen seasons as a defenseman; turned the Boston Bruins from a cellar club into an eight-time regular league champion and to a two-time Stanley Cup winner; voted into hockey's Hall of Fame, thereby assuring immortality to the former farm boy from the little hamlet of St. Qu'Appelle, Saskatchewan, in Western Canada.

It was Eddie Shore, who undoubtedly kept the National Hockey League in business during the Depression of the thirties, when the sport needed a magnetic personality, just as baseball needed a Babe Ruth, boxing a Jack Dempsey, and tennis a Bill Tilden to attract the paying spectators. Millions came to cheer Eddie as their hero, others came to boo him, as all superstars must expect, but nevertheless they packed the house to see the old "Edmonton Express" perform. Because of his outstanding skills as a player, his electrifying solo rushes, and his all-round charisma he completely dominated almost every game he took part in.

Through his impact as a gate idol, he elevated the living and playing standards of every player in the National Hockey League—not only his own—and perhaps more than any other individual made the National Hockey League the major league that it is today.

Once Eddie's remarkable career as a player, inevitably, passed its peak, he sought new fields to conquer in the game he loved so deeply and helped elevate to such a high degree of popularity, hoping to buy and operate his own team. He decided to put every dime he earned in hockey right back in hockey. Fortunately, for Springfield, he chose the City of Homes for this new horizon.

He succeeded in purchasing the bankrupt Springfield Indians of the American Hockey League in 1939 and has owned the franchise ever since, operating first at the Eastern States Coliseum and then moving over to the new downtown Civic Center.

Although he still possessed enough ability to remain in the National Hockey League, he chose to spend his last three active playing seasons with his own club, giving Springfield area fans the thrills of watching his final years of his brilliant career. Then he turned his full efforts to managing, coaching and operating his own franchise with as much dedication as he showed as a player. He developed many National Hockey League players, coaches, managers and executives.

But even more importantly to the community, Eddie expanded the Greater Springfield Junior Amateur Hockey Leagues and made them into one of the finest sports programs in the United States or Canada through his personal leadership. All youngsters, regardless of their abilities, were invited to join him at the Coliseum—free of charge—for the approximately three decades he operated this magnificent activity at the Coliseum.

He also expanded the schoolboy and industrial league programs, and conducted a skating clinic—free of charge—weekly for both girls and boys. He kept thousands of youngsters on skates at the Coliseum, rather than have them roaming the streets with idle time on their hands.

In spite of the rigors and demands of operating a professional franchise, Eddie found time to don his skates for several years and personally assist in the coaching of an entire team or an individual whenever his assistance was sought, which was often.

He received many civic awards from a grateful community for his unselfish efforts. And perhaps, his humble acceptance speeches, reveal the character of the man more than anything else. He would generally say something like this: "If I've helped make one youngster happy, helped make even one boy a better citizen, then I feel that this program is worth it all."

On a number of occasions, Eddie has made the members of the program his guests at professional games.

When Eddie first came to Springfield, he promised that it would be his life's work. And he remained true to his word.

Last year, when the Los Angeles Rings, his affiliated National League partner, notified Eddie of their intentions to pull out of Springfield near mid-season, he took over the operation of the team, personally, and injected new life into a dull and aimless club. The fans responded in full force, and the team reciprocated by capturing the Calder Cup championship—Springfield's fifth since Eddie took over the franchise.

This year, Eddie is back operating the Springfield Indians as an independent, at the Civic Center. For this, the whole community is grateful to "Mr. Hockey" for re-

newing his faith in Springfield as a citadel of the sport.

THE AFRICAN WORKER IN SOUTH AFRICA

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. DIGGS. Mr. Speaker, despite the Republic of South Africa's concerted "information" campaign in the United States aimed at presenting its oppressive apartheid system in a benign light, the harsh reality for the mass of black working people in that country continues to be one of unremitting deprivation in a racially based totalitarian society. The following is a factual survey and analysis of what apartheid and separate development mean to the African worker and the prospects of change. This survey was prepared by the Africa Fund affiliated with the American Committee on Africa:

PROSPECTS FOR CHANGE: APARTHEID AND THE AFRICAN WORKER

(By Susan G. Rogers, African Fund research associate)

As his metal armband indicates, the South African mineworker pictured here with all the trappings of his job is a "Boss Boy." Having risen to one of the highest positions available for a black mineworker, he is among the fortunate few. He has more responsibility and is much better paid than the black miners who work under him. Yet it is appropriate that this man should appear faceless, and in this sense, without personal identity and individuality; for in the context of the white South African economy in which he labors, he is essentially treated and viewed as a pair of working hands and arms.

In order to maintain a clear picture of the realities of apartheid through the smoke screen of "change-oriented" speeches that have recently come from the mouths of prominent South African officials, it is more necessary than ever to focus directly on the subject of what "change" can and cannot mean in the context of a society dedicated to the maintenance and reinforcement of white political and economic supremacy. In particular, we intend to ask what "change" has meant and can possibly mean for South Africa's black workers, and by extension, for the 82 per cent of the population their earnings must nurture. For while it is the apartheid structure that assures white supremacy in South Africa, it is the absolute and complete control and regulation of the labor of the black majority that provides the scaffolding on which the South African economy is erected; and it is that economy that allows white South Africans to remain powerful and to enjoy one of the highest standards of living in the world.

Like the vote, this standard of living is "for whites only," who number less than 4 million and supply only 20 per cent of South Africa's economically active population.[1] Seven out of 10 workers in South Africa are Africans. They constitute 90 per cent of the work force in agriculture, forestry, fishing and mining; 65 per cent in electricity, gas and water; 67 per cent in services, and 60 per cent in construction.[2]

While black Africans contribute over two-thirds of South Africa's labor force, white workers earn on the average eight times as much as their black fellow workers. Even if one views this as a skilled-unskilled wage gap, the acceptable differential in industrialized economies elsewhere in the world is 1.4:1.[3] In 1970, the ratio of African to European per capita income was 1:17; in 1971, the gap reached 1:20 and was reported to be growing still wider.[4] This is not an accident. It results from the elaboration and extension of a complex web of apartheid policies, regulations, laws and white "custom" over which African workers have no control and which they have been almost powerless to influence in any way.

Average annual per capita income

Whites	$2373.60
Africans	*117.60

*(*Markinor-Quadrant International Survey of four homelands.* Financial Mail, *Dec. 13, 1974.*)

The expansion, diversification and industrialization of the South African economy during the 20th century and particularly since World War II, far from bringing any improvement in the position of African workers, has seen the steady erosion of the few tenuous rights they once exercised and hence of their ability to affect change peacefully. Even a partial listing of legislation dealing directly and specifically with the African as a worker makes awesome reading. For example, there is legislation that: 1) imposes a contract labor system for African workers (Native Labour Regulation Act, 1911; Bantu Labour Act, 1964, amended, 1974), 2) denies Africans right of ownership in land (Native Land Act, 1913; Bantu Trust and Land Act, No. 18, 1936), 3) reserves skilled employment on mines for whites and prohibits the issuance of certificates of competency to Africans and Asians (Mines and Works Act, 1911; Mines and Works Act, No. 27, 1956), 4) closes training opportunities for Africans and other non-Europeans (Apprenticeship Act, No. 37, 1944), 5) sets up "influx control" machinery and an "endorsement out" systems for Africans (Bantu [Urban Areas] Consolidation Act of 1945) in conjunction with pass laws, i.e., reference books issued under the Bantu (Abolition of Passes and Co-ordination of Documents Act, No. 67, 1952), 6) prohibits registered (hence, officially recognized) trade unions for African workers and denies them the right to strike possessed by white workers (Native Labour [Settlement of Disputes] Act No. 48 of 1953), 7) prohibits "mixed" trade unions, permitting them only in special cases and where the elected officers are white (Industrial Conciliation Act, 1956), 8) virtually eliminates the possibility of permanent residence for Africans in areas outside the Bantustans (Bantu Laws Amendment Act, 1964), 9) allows the Minister of Bantu Administration and Development and the Minister of Labor to prohibit the employment of Blacks in any job in any area by any employer (Bantu Laws [Physical Planning] Amendment Act, 1970).

Such legislation, and a myraid of other laws and regulations, suggest the kind of "change" experienced by the African worker in the 20th century and effectively negates standard assumptions regarding the positive relationship between an expanding economy and an improved standard of living for the majority of people whose labor has produced economic growth. Apartheid economics requires an entirely different set of assumptions, and these have not changed. Among the most basic is that which holds that the African is not a person with human rights when he or she works within the white economy; rather, he or she is a "unit of labor." Like a piece of machinery, this "unit of labor" is used or used up; is given perfunctory care to keep it functioning; is placed where it is needed; and is discarded and moved out when it is no longer of use. A machine doesn't decide what work it would like to do or where it will work; it doesn't demand extra care or additional training; it has no right. A Report of the Local Government Commission (1921) stated: "The Native should only be allowed to enter the urban areas, which are essentially the white man's creation, when he is willing to enter to minister to the needs of the white man, and should depart therefrom when he ceases so to minister."[5] A half century of economic growth and industrialization later, the same assumption prevails, with further refinement: "... the Bantu [apartheid terminology for Black African] are present here for the sake of their labour. That labour is regulated by statute; they cannot simply work at random and at will ... they are not here ... to acquire what you and I [South African whites] can acquire in the sphere of labour and the other spheres."[6]

The entrenchment of an economic system designed to exploit African labor and simultaneously prevent Africans from enjoying the fruits of that system has required the complete perversion of what are generally regarded as basic (albeit hard-earned) worker rights in most industrialized societies. Such rights, in South Africa, apply only to the one fifth of the work force that is white. For example:

JOB MOBILITY

For African workers in apartheid society, the words can only suggest the cruelest of ironies. In the usual sense of horizontal and vertical mobility—the freedom of workers to seek employment where they choose and rise freely to higher level jobs as talent and initiative may dictate—they have no meaning. Pass laws and influx control regulations prohibit the free movement of African workers in order to monitor and restrict the percentage of Africans employed in any given urban industrialized area. A system of Tribal Labour Bureaux determines where an African can register as a "work seeker" and specifies where (what part of the country) he may in fact be employed. If there is no job available that calls for the particular skills, education or experience he or she has to offer, an African cannot decide to look elsewhere for an appropriate position. An African cannot quit a job to accept a better one. Work contracts are binding on the African worker for the period specified; deportation to a Bantustan faces an African who, for whatever reason, breaks a contract.

Similarly, vertical mobility is carefully restricted and controlled to protect white workers from competition and to insure that in every employment situation, Whites hold jobs that are ranked higher and paid better than those of the Africans.

The only sense in which job mobility applies to Africans in South Africa is a perverted one dictated by the apartheid system. Africans are indeed "mobile" in that they are forced to become migrant laborers in order to earn a living. First entrenched in the mining industry at the end of the 19th century, the migratory labor system is now deliberate public policy for African workers generally and reflects the need for cheap labor in the white-controlled economy and the parallel requirement that Africans be denied permanent residence in "white areas." The aim is that *all* Blacks in these areas will be migrants, i.e., living without their families and other dependents. By 1971, the proportion of economically active men living in single accommodation in the five main cities of South Africa was as follows: Cape Town, 85 per cent; Durban, 55 per cent; Johannesburg, 49 per cent; Petoria, 47 per cent; Port Elizabeth, 20 per cent.[7] As the Report of the Economic Commission (Spro-Cas), 1973, points out, "Migrant labour is perhaps the single most important distinguishing feature of the South African economy and is fundamentally evil in its operation." This system totally destroys African family life

Footnotes at end of article.

by forcing men and women to leave their homes and submit to the degrading and stark conditions of over-crowded single-sex hostels. Low wages insure perpetual poverty. One year contracts insure that the employers have little interest in investing in the training of the workers. In 1972, it was estimated that the migratory labor system affected the lives of at least 6,000,000 African men, women and children.[8]

According to the Secretary of Bantu Administration and Development, the migratory labor system is a perfectly appropriate way of dealing with "units of labor." "As at present, they [Africans working outside the Bantustans] need not always be the same Bantu. They will constitute a *moving population* because they keep on returning to their respective Homelands, some more often than others."[9]

The essential institutions of South Africa's migratory labor system are the mining compound, the Bantustan or reserve, and the segregated urban location. As such, they are the essential institutions of southern African labor exploitation.[10]

JOB TRAINING

The availability of job training for Africans like every other aspect of their treatment in the labor force, has been, and is, determined solely by the requirements of the apartheid economy. These requirements are often in conflict. White employers in South Africa need more skilled and semi-skilled workers than the white population provides. But white workers want protection against competition from Africans and also want wages for work categorized as "white" to remain high. They have the power of the vote, and constitute a much greater proportion of the white electorate than the employers. The result is what has been described as a cautious "stop-go" approach on the part of both the South African government and industry.

Modification of the industrial color bar and moves toward training of Africans must be carefully worked out to the benefit of whites. For example in the motor trade, training schemes in semi-skilled jobs for Africans were announced in 1974 "to relieve the crippling shortage of skilled mechanics." African repair-shop assistants were slated for more responsible work and higher pay. In effect, they were to be trained to do the least skilled parts of jobs held by Journeymen (white) in order to "free journeymen to handle skilled tasks only. . . ." The pay of the African repair assistants was to be increased from $25.00 per week to about $29.00 per week; while that of the white mechanics would rise from $65.00 to $89.00 per week.[11] Such job fragmentation and attendant pay increases for Whites characterize the South African approach to training for Africans.

In any case, adequate training does not insure Blacks employment for which they are qualified. For example, Johannesburg's Phonefficiency African Business Training Centre graduates 30 to 40 African clerical workers each month who cannot find employment even though there are well over 6,000 clerical jobs available and no Whites to fill them. Phonefficiency's principal feels that the public doesn't know that trained Africans are in fact available. But this is hardly the sole, and probably not the major problem. Employers don't want to provide separate toilet facilities required for black employees, and fear opposition from white staff. Moreover, a 1964 amendment to the Bantu (Urban Areas) Consolidation Act of 1945 prohibits employment agencies from handling African applicants; only the Labour Department and recognized agencies can place Blacks in employment.

A "LIVING" WAGE

To be a white wage-earner in South Africa is to be assured a "civilized" living standard for oneself and one's family. For the African worker, however, an entirely different standard has been devised. This is the Poverty Datum Line (PDL), a "scientific measurement of the rock-bottom income an ordinary African family needs to keep body and soul together."[12] *Excluded* from the PDL figures are expenditures on items such as furniture, household goods, medical and educational expenses, reading matter, postage, stationary, entertainment, telephone, savings and insurance, and money sent to dependent relatives. A marginally decent standard of living which includes these items is termed the Minimum Effective Level (EML) and is calculated to be one and one-half times the PDL. Both these estimates must be constantly adjusted upward as the cost of living increases, and they differ in the various urban and rural areas of South Africa. The rising cost of food particularly affects Africans, as they must spend over 70 per cent of their incomes on this item alone.

A "Living" Wage?

'The average unskilled wage for an African man as of August, 1974, was $93.00 per month.' (Financial Mail, Aug. 9, 1974.)

For the vast majority of South Africa's white employers, the PDL, if it is acknowledged at all, is not treated as a guide for the *minimum* wage to be paid African laborers, even though the figure, as calculated, represents a bare minimum living standard. Rather, it is viewed as a potential *average* wage figure. Most Africans receive wages substantially *below* the PDL, and African women are consistently paid even less than African men. The average pay for an African unskilled worker remains about $93.00 per month.[13] despite some improvement in recent years stimulated by widespread strikes and labor unrest among African workers and to a lesser degree by foreign pressure such as that generated by Adam Raphael's devastating *Guardian* expose of the poverty wages paid by British companies in South Africa published in early 1973. Moreover, white wages have also risen, so that the white-black wage gap remains essentially the same, while in the case of white executives, a recently reported wage increase to keep pace with inflation amounts to more than three times the *total* average earnings of an unskilled African worker.[14]

COST OF LIVING

City	PDL, African family of 6 (per month)	Percent increase, October 1973 to October 1974
Bloemfontein	$147.00	23.6
Capetown	150.00	25.0
Durban	139.00	18.9
East London	142.00	25.3
Port Elizabeth	145.00	18.2
Windhoek (Namibia)	158.00	38.8

Note: Financial mail, Nov. 15, 1974.

White employers who wish to justify paying less than PDL wages commonly argue (1) that the families of Africans working in urban areas provide for themselves in the Bantustans—an assumption that conveniently ignores the reality of poverty, overpopulation, malnutrition and unemployment in the Bantustan areas; (2) that African families tend to have more than one wage earner—which, as a result of dire necessity, is indeed often the case; (3) that rural living costs are lower—which is often not true due to higher transport costs and higher food prices; (4) that the PDL figure is based on a family of 5 or 6, when it might be smaller—or, one might add, larger; (5) that Africans have lower "nutritional needs" than whites—an assumption with racist content that hardly needs comment; and finally, (6) that many African workers are "single"—a reflection of the white acceptance of the migrant labor system which treats Africans as "single" even when they have families, and ignores the fact that some workers might be single precisely because they can't afford to support a wife and family.[15] The all-white Wage Board which recommends minimum wages for Africans under orders from the Minister of Labor invariably echoes such assumptions to justify setting minimums below the PDL.[16]

"The average wage for an African man at Babalegi (a 'growth point' just *inside* the Bophutha Twana Bantustan) was $44.00 per month as of December, 1974." (Financial Mail, Dec. 13, 1974)

While Africans working in the major industrial centers typically earn less than the established PDL figures for the area, those who must work in the so-called "border industries" and in towns designated as "growth points" under the Government's decentralization program earn "wages far below the breadline. . . ."[17] Decentralization, apartheid's answer to the "problem" of large concentrations of African workers in the established urban industrial areas, requires that expansion and the building of new plants and factories take place elsewhere. For the white industrialist who participates, the major incentive is even cheaper black labor costs than he is accustomed to, and the availability of a black work force unlikely to complain of poverty wages, forced over-time, and lack of workers' rights for fear of dismissal.[18]

"We trade on a captive and partly silenced work force which is deliberately kept unsophisticated. Its members are usually paid less than they need to live on." (Rand Daily Mail, Nov. 11, 1972)

EQUAL PAY FOR EQUAL WORK

Since for the most part, a rigid job and wage structure keeps the vast majority of Africans at the bottom of all employment ladders in unskilled and semi-skilled positions, the issue of equal pay for equal work does not often arise. In instances where an African is in fact doing a job that requires more skill than a particular job in which a white is employed, the white job is simply evaluated as "higher" to account for the higher rate of pay earned. This leads to numerous job evaluation anomalies, such as in the brewing industry, where a white gate keeper earns about $32.00 per week while an African mechanical fork lift truck driver whose job clearly requires more skill earns $23.00 per week.[19]

In cases where whites and Africans are in fact occupying identical positions, there is simply no standard rate for the job, and blatant racism takes over. In clerical jobs, whites earn approximately twice as much as Africans. An African nurse's salary is 45% of a white nurse's. A white social worker earns 2½ times as much as a black social worker with equivalent qualifications. When the City Council of Johannesburg tried for a time to pay six African doctors in Soweto the same as white doctors, they were accused of disrupting the economy and doing an injustice to other "non-whites" in South Africa.[20] Job evaluations and percentages may change; the basic assumptions are part and parcel of the apartheid system and cannot change so long as African workers are deprived of any effective voice in the "white" economy they serve.

COLLECTIVE BARGAINING AND THE RIGHT TO STRIKE

". . . if Blacks had legal bargaining powers the PDL might be redundant. Their lack of it means that a vital component is missing from decisionmaking in South Africa." (Financial Mail, April 5, 1974)

Throughout the world, workers have learned that effective organization is the key to their bargaining position *vis a vis* employers. Not surprisingly, the South African Government is determined to prevent African workers from utilizing this key. African trade unions are not recognized and are deprived of the right to negotiate and bargain

Footnotes at end of article.

on behalf of their members. Instead, African workers are permitted, through the Bantu Labor Relations Regulation Act, to participate in either Liaison Committees (with up to one half of the members, including the chairman, to be appointed by the employer) or Works Committees, which can be set up in any factory where a liaison committee does not exist, and where more than twenty black workers are employed. A Works Committee can only represent workers within a specific factory. Divide and rule is here, as in all other aspects of South African legislation concerning Blacks, the central purpose.

"Whites, whether employers or not, really have no idea what the Black man is thinking." (Financial Mail, Feb. 16, 1973)

To further emasculate African workers, the Government deprives them of the right to strike except under certain extremely limited conditions. But as has been demonstrated since early in 1973, prohibiting strikes has not prevented African workers from striking. In an 18 month period up to June, 1974, there were no less than 300 strikes, and in 281 cases, there was no works committee to act as a liaison between workers and employers.[21] Since that time, strikes by African workers in the factories and mines, in the latter case leading to scores of tragic deaths, have continued. Both the Government and major industrialists are now aware that the absence of "proper channels of communication" can be as debilitating for employers and for the economy as it is for the African workers themselves. The problem for white South Africa is to find the means to institutionalize confrontation by providing "channels of communication" acceptable to African workers while continuing to deny them any legal rights and power within the South African economic system.

Change within the limits suggested can be expected, and the position of African workers in South Africa may therefore improve somewhat in the context of the present economic and political structure; but change in the real sense—change that provides the African with meaningful control over his own labor—will require no less than the dismantling of the entire apartheid system.

". . . it is no use having a well-trained army on South Africa's borders if the Government allows the labour position to deteriorate." (Senator Eric Winchester, United Party, quoted in Johannesburg Star, Oct. 12, 1974).

FOOTNOTES

[1] J.A. Horner, "Black Pay and Productivity in South Africa," S.A. IRR, Sept., 1972, Table 2, p. 3.

[2] Report by Managing Director of Market Research Africa, Mr. W. Langschmidt, cited in Johannesburg *Star*, Aug. 3, 1974.

[3] Johannesburg *Star*, April 21, 1973.

[4] London *Times*, April 27, 1971.

[5] Report of the Local Government Commission, U.G. 62/1921.

[6] Minister of Eantu Administration and Development, Hansard No. 1, Col. 298, 3 Feb., 1972, cited in *Die Swart Serp*, Maart, 1972.

[7] *Migrant Labour in South Africa* Francis Wilson, S.A. Council of Churches, Spro-Cas, 1972.

[8] John Kane-Berman, "Migratory Labour," Spro-Cas Background Paper No. 3, 1972, cited in UN Notes and Documents, No. 25/74, Aug., 1974.

[9] Quoted in *Financial Mail*, Sept., 1972.

[10] South African Labour Bulletin, Vol. 1, No. 4, July, 1974.

[11] *South African Digest*, July 26, 1974.

[12] *Financial Mail*, April 5, 1974.

[13] *Financial Mail*, Oct. 11, 1974. In Durban, for example, this wage would be $46.00 less than the accepted PDL calculation of $139.00 per month.

[14] *Financial Mail*, Oct. 11, 1974.

[15] *Financial Mail*, April 5, 1974, raises these points for critical analysis.

[16] See, for example, the *Financial Mail*, May 18, 1973.

[17] Johannesburg *Star*, June 8, 1974.

[18] *Financial Mail*, Dec. 13, 1974. At Babalegi, a growth point just inside the Bophutha Tswana bantustan, the average wage was reported to be roughly $11.00 per week. Moreover, it was found that three-quarters of the workers surveyed directly were actually earning less than that "average."

[19] J. A. Horner, *Black Pay and Productivity in South Africa*, S.A. IRR, Sept. 1972, p. 5.

[20] *Financial Mail*, 19 April, 1974; Johannesburg *Star*, June 8, 1974; S.A. *Financial Gazette*, May 18, 1973.

[21] Johannesburg *Star*, Oct. 12, 1974.

FIRST DISTRICT OF IOWA QUESTIONNAIRE

HON. EDWARD MEZVINSKY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. MEZVINSKY. Mr. Speaker, recently, I mailed a questionnaire to the residents of the First Congressional District of Iowa asking my constituents to give me their views on 12 varied issues.

During the past weeks, we have been busy going over their responses. I am pleased to report that approximately 15,000 completed questionnaire forms were returned to my office.

In addition to the readily apparent value of this type of public input, this questionnaire provided a catalyst for hundreds of First District residents to go beyond the limits of the printed form. I was pleased by the substantial number of letters which were included—either expanding on specific questions or detailing the writers' thoughts on separate issues.

I deeply appreciate the interest shown in the questionnaire and was pleased to hear from so many First District residents. I would like to share with you the results:

FIRST DISTRICT QUESTIONNAIRE

1. Which of the following would you support in order to curtail the use of gasoline?

A. Gasoline rationing, 19 percent.

B. Excise tax on low mpg autos, 19 percent.

C. Sunday closings of gas stations, 14 percent.

D. Substantial increase in federal gasoline tax, 5 percent.

E. Mandatory cutback in oil imports, with reduced supplies distributed through allocation, 10 percent.

F. Allow price to rise so that drivers cannot afford to buy as much gasoline, 7 percent.

G. Increase government support for public transportation alternatives to private automobile travel, 28 percent.

2. Congress has the responsibility to set budget priorities, to decide how to spend federal tax dollars. Do you think spending in the following areas should be more, less or about the same?

[In percent]

	More	Less	Same
Education	40	17	43
Energy research	79	5	16
Rail transportation	63	17	20
Unemployment assistance	20	41	40
Jobs programs	44	23	32
Antitrust enforcement	43	20	37
Health care	50	17	33
Space	12	60	29
Housing	33	29	38
Aid to the elderly	60	9	31
Foreign economic aid	5	76	19
Foreign military aid	2	88	11
Highways	16	38	46
Public transportation	63	13	24
Environmental protection	48	20	33
Agricultural programs	27	27	46
Military and defense	19	43	38
Law enforcement	56	10	35

3. Several proposals concerning national health care are now before the Congress. Which of the following would you most prefer?

A. Comprehensive national health insurance for all Americans financed and administered in a manner similar to Social Security, 32 percent.

B. Comprehensive national health insurance financed through payroll deductions but administered through private carriers, 17 percent.

C. National health insurance limited to covering the cost of catastrophic illness, 27 percent.

D. No government health insurance program, 23 percent.

4. On the question of amnesty in regard to the Vietnam war, which of the following do you favor?

A. Universal and unconditional amnesty, 28 percent.

B. Conditional amnesty, with alternate service, 43 percent.

C. No form of amnesty, 27 percent.

D. Other, 2 percent.

5. Do you think Social Security benefits should be increased as the cost of living increases?

Yes, 83 percent.

No, 13 percent.

No opinion, 4 percent.

6. In light of recent disclosure of corruption in the inspection of grain exports, do you believe the system should be changed to require federal, rather than private or state, inspection of grain and ships?

Yes, 66 percent.

No, 23 percent.

No opinion, 11 percent.

7. Which energy sources do you believe should be most extensively explored?

Coal, 19 percent.

Solar, 42 percent.

Nuclear, 18 percent.

Petroleum, 8 percent.

Geothermal, 12 percent.

Wind, 1 percent.

8. Various proposals are before the Congress concerning the control of firearms. Which of the following do you favor?

A. Legislation requiring registration of all firearms, 38 percent.

B. Legislation outlawing the sale and possession of handguns, 27 percent.

C. No new legislation in this area, 31 percent.

D. Other, 5 percent.

9. Do you think the sale of American military equipment to foreign nations should be subject to the approval of Congress?

Yes, 82 percent.

No, 13 percent.

No opinion, 5 percent.

10. Have you ever contacted one of our three Congressional Outreach Offices?

Yes, 18 percent.

No, 82 percent.

11. When I am able to be in the First District, I try to take part in many kinds of activities. How do you rate the importance of the following?

	Very important	Important	Unimportant
A. Town meetings	43	43	14
B. Office hours	34	49	17
C. Meetings with civic groups and local officials to discuss local problems and issues before Congress	59	34	8

12. What do you consider the major problem facing the nation today?

This question generated the highest number of comments, both in the margins of the questionnaire and in separate letters.

Most of the people who responded cited inflation as the issue which concerns them the most. Crime was the second most frequently mentioned problem, while unemployment and big government were mentioned almost as often.

Three other issues, the absence of honesty in Government and private business, high Government spending, and pollution of the environment, very often tied for fifth place as the major issues.

A significant number of people also mentioned problems of the elderly, the lack of effective leadership, and high taxes as the problems which concern them the most.

Other issues causing great concern are the need for welfare reform, monopolies, excessive military spending, the congressional pay raise, racism, drugs, and inadequate health care.

Also mentioned were invasion of privacy, the need for long range planning, and President Ford.

MAINE'S POTATO CROP

HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. COHEN. Mr. Speaker, last week Aroostook County, Maine, began its unique annual ritual—the harvest of Maine's potato crop.

Aroostook County is the largest and northernmost county in Maine. Its 6,821 square miles make it considerably larger than the entire combined area of the States of Connecticut and Rhode Island, and it is, in fact, the largest county in the United States east of the Mississippi River.

Aroostook County is the potato basket of the Northeast, producing approximately one-eighth of the total potato crop of the Nation. Virtually every one of the 95,000 people who live in the county depend on the potato for their livelihood in one way or another, and the harvest in Aroostook is an event in which everybody, from schoolchildren on up, have an active stake.

It is hard to describe the Maine potato harvest to someone who has never visited Aroostook County. Farmers plan for months to make sure they will be ready to harvest their highly perishable crop quickly and efficiently when the proper time comes. When harvest begins, the farmers are up hours before sunrise, preparing their diggers and harvesters. Most schools in the county close down to permit the children to assist in the hand harvesting operations that produce 70 percent of the State's total potato yield.

It is an event that involves the whole community from the day the first row is dug up to the day several weeks later when the last potato is out of the ground and shut safely away in the potato house.

To try to give my uninitiated colleagues a better notion of what the potato harvest means to the people of Aroostook County, I am inserting at this point in the RECORD two stories by Richard H. Stewart which appeared in Sunday's Boston Globe. Mr. Stewart, formerly the Globe's national editor, now serves as a New England correspondent, traveling through the six-State region searching out stories which capture the unique culture and heritage of New England.

His two stories point up the social and economic importance of the potato harvest to Aroostook County and to Maine, and I commend them to the attention of my colleagues:

RAIN TURNS MAINE HARVEST INTO PRETTY COLD POTATOES

(By Richard H. Stewart)

PRESQUE ISLE, MAINE.—At 4 a.m. Wayne Knight slips on his earphones and switches on the microphone at radio station WEGP.

Although there are still a couple of hours to daylight, radios throughout Aroostook County are tuned to this and other stations.

It's potato harvest time in Maine's Aroostock County, the biggest county east of the Mississippi.

What cotton is to Memphis, what oil is to Houston, potatoes are to Aroostock County.

But this morning it is raining and calls overload the several phone extensions at the radio station where Knight is running his program. "Pickers' Special."

To the uninitiated, the broadcast has the flavor of something invented by Slim Pickins to entertain insomniacs. Its homely chatter and rural informality would shock the big city broadcast folks.

But it is one of the most important of public services for people hereabouts. It is their message center.

Rain has created a growing sense of uncertainty for both growers and their crews. Each day of delay in the harvest increases the risk that the first frost will come before the crop is in.

Wayne Knight is their link:

"Gilford Sperry says it's raining where he is and he'll hold up for a while . . .

"Danny Webb. Dan Webb, which way you goin? Your crew's callin'."

Knight, 40, spiels off the information as fast as it is funneled to him in the fashion of the play-by-play sports broadcaster he once was.

Oddly, like most people in Aroostook County, he doesn't have a Maine accent. But in front of the microphone his voice is almost a caricature of the accent.

When calls build up he answers them himself in the studio:

"Wayne speakin'. Hello, Rita. Okay, I'll tell 'em. That's Hubert Haley's wife, Rita. Rita says that Hubert Haley wants the harvester crew right on time and the hand crew at 7.".

Another grower climbs the stairs and walks directly into the broadcast studio. The door is never closed.

"Jack Cameron, Parkhurst Farms, says just as soon as it stops raining he'll let the crew know and he says it don't look like it'll be very long."

Most of the schools in the county above fifth grade are closed. Potatoes have to come out of the ground before the first freeze. Education can be made up, but potatoes can't wait.

Kids are the best pickers. By law, they can't work on the big mechanical harvester until they are sixteen. Too many limbs have been lost to those lumbering giants and flailing grates.

School starts here Aug. 22 and closes a month later. About 13,000 students are in the fields, being paid 40 cents a barrel. The best can make $20 a day. About 70 percent of the crop is harvested by hand.

Harvest conditions will determine when they go back to school and how long into the summer they will stay there.

There are about 1,000 potato farms in the county. Maine produces 12 percent of the nation's potatoes.

The crop is valued in the hundreds of millions. Traders bet fortunes on Maine Potato futures at the New York Mercantile Exchange.

The potato is more than a food staple. It is economic life or death to the people here.

Knight is unabashedly anti-rain at harvest time. I keep trying to talk it out of the county.

"I can't help but believe this little puckerin' up we got isn't goin' to last that long. You crews, you get up and get yourself some breakfast and get dressed. Because this rain isn't going to last that long. Oh, it may make it a little yukky . . ."

Many call wanting jobs on the harvesters, on trucks or in the potato houses. Few call to hand pick the potatoes. It's tough work.

"Funny," he tells his listeners, "I never get many pickers. Seems like everybody wants to go to heaven but nobody wants to die."

As the calls continue there appears to be greater uncertainty whether the rain will allow any harvesting.

The rain that Knight has tried to orally dispatch from the region shows no signs of letup.

Finally, reluctantly, Knight has to accept the facts as a revised forecast comes in calling for a 60 percent chance of rain.

Nature has bested Wayne Knight.

"The general consensus is that everybody is going to hold up to see if this rain is goin' to settle in."

In mock seriousness he says, "You know, you ought to have that. No home should be without one."

It's 6:30 now and Knight calls it quits. The disc jockey, who also has been making calls, moves behind the microphone and Knight leaves to go to his regular job at the Maine Farmers Exchange, buying and selling potatoes.

"We can dig between eight and 10 percent of the crop a day if everything is right," he says. "But this rain just makes it awful." There's no trace of an accent.

Knight isn't sure how long he will be going to bed at 7:45 every night to be on tap for his radio program. The program lasts during the harvest season.

During one season he had to do it for nine weeks. The shortest tour was four weeks.

Success or failure of the Maine potato is a matter of personal pride and the Maine Potato Commission doesn't let the farming public forget it.

It promotes the following broadcast commercial:

"We are the home of the Maine potato and we have to work hard to make our potato No. 1. A good harvest is the beginning. The reputation of the Maine potato is in your hands. Take care to make this the best harvest ever."

And there's another one sung by a chorus:

"Pick up a Maine potato and talk to it today."

HERE'S SPUD IN YOUR EYE: PLANTING DECREASE MAY PUSH POTATO PAST '73 HIGH

(By Richard H. Stewart)

PRESQUE ISLE, MAINE.—Foliage has turned red in potato country and the farmer's eyes also are lighting up as he keeps one eye on his crop and the other on the New York Mercantile Exchange board.

New York's where they deal in Maine potato futures. It's the Las Vegas of the trading spots. A place for high-risk speculators, the high rollers of the trading set.

If the farmer hasn't already committed

his crop or some part of it to lower prices, the grower could be in for the best financial season since 1973, when potato futures for May delivery hit the all-time high of $19.15 per 100 pounds.

If the market holds true to the estimates, New England housewives can expect to be paying more for potatoes before the end of this year and even more in 1976.

The first tangible evidence of potential higher prices already is in—Department of Agriculture figures on the number of acres that have been planted in the so-called Fall States.

The Fall States are those in the northern tier of the United States, from Idaho to Maine. The report on the acreage came in Aug. 11. It showed they planted 96,000 acres less this year than 1974, the worst year for potato growers. Maine planted 18,000 less acres this year than last.

This year's national acreage is 20,000 acres under 1973, the best year for growers.

Since potatoes, like most commodities, find their price level on a supply and demand comparison, the reduction in the planting would suggest there will be fewer potatoes from the crop now being picked from the fields.

This means higher prices for consumers.

Will the price hit or pass the 1973 high mark?

That's what the traders on the commodity market are gambling on.

But it's still a guessing game. That's what makes it a high-risk investment.

The second guideline for farmers and speculators—they often are the same people—comes Oct. 10. In Aroostook County, the potato basket of the northeast, farmers wait for that announcement like kids anticipating Christmas.

That is the day the production report will come in from the Department of Agriculture. It will tell how much yield is coming from the reduced planting.

Larry Thibodeau is president of the Maine Farmers Exchange, Inc. His business is marketing potatoes. Potato futures is part of his business.

"Everybody uses the government figures to work on," he says. "I might think they're wrong, but I'll never buck 'em. That's for sure. They're impartial. They do a job. They've got 28 or 29 years backed up behind them, experience in doing this, and I'm going to believe 'em. That's good enough for me."

The potato futures market has been highly volatile since August. By law, the price cannot rise or fall more than 50 cents in a single trading day. It has risen in 50 cent increments on several successive days this year.

The farmer who really wants to gamble can contract to sell in May. That's the month he can get his best price. But he has to commit himself now to deliver in May. This means he has to store his crop in his own potato houses until then.

Can he hold the crop he is now picking in storage until then? Will the potatoes hold their quality? Will they develop rot? Will his potato house burn down?

Will there be an early frost that will destroy part of the current crop before it even gets to storage?

Says Thibodeau, "Potatoes are perishable. They're 78 percent water. They've got to be perishable."

When you deal in potato futures you're dealing in surplus from farmers who produce more potatoes than they can sell at harvest time.

That's why the Oct. 10 production figures are important. Less production means higher prices.

In the language of the race track, Thibodeau explains:

"You've got a horse that does a mile in two minutes. But you hear down in Boston they've got a new colt they think can go in 1:57. They don't know yet. He hasn't been tested.

"The reports aren't all out. All you've got is speculation. He races the first time Oct. 10. Everybody's going to be here. Understand. If he can beat two minutes everybody's going to be betting on that horse."

The housewife undoubtedly will be paying higher prices for potatoes over the next year. How much more?

Says Thibodeau, "You find me the man who can tell me and I'll make him a million dollars in 10 minutes."

TOASTS OF TWO PRESIDENTS

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. STEPHENS. Mr. Speaker, when the President of our southern neighbor country, the Republic of Colombia, President Alphonso Lopez Michelson, visited the United States for an official visit, he and his wife and dignitaries of Colombia were entertained at a formal State dinner by President and Mrs. Gerald R. Ford at the White House on the evening of September 25.

Toasts were exchanged between the two chief executives and because of the significance of the ideas expressed, I asked Mr. William D. Rogers, our Assistant Secretary of State for Inter-American Affairs, to obtain the texts for me to share them in the CONGRESSIONAL RECORD with my colleagues.

The exchange of toasts follows:

EXCHANGE OF TOASTS BETWEEN PRESIDENT FORD AND ALFONSO LOPEZ MICHELSON, PRESIDENT OF THE REPUBLIC OF COLOMBIA

The PRESIDENT. In proposing a toast to you, Mr. President, and to the great Republic of Colombia, I think it is fitting to note that your State Visit to the United States coincides with the 150th Anniversary year of the first treaty between our two countries.

Soon after Colombia won its independence in 1819, the great liberator, Simon Bolivar, sent one of his first diplomatic representatives to this country—Don Manuel Torres. As head of the Colombian mission, he became the first accredited envoy of Spanish-American power in the United States.

As early as 1820, Mr. President, Manuel Torres was instructed to negotiate a commerical treaty with the United States on the basis, and I quote, of "equality and reciprocity."

That treaty was proclaimed on May 31, 1825. Thus, Mr. President, the roots of our friendly relations are long and deep.

This relationship was furthered by an illustrious former President of Colombia, Alfonso Lopez Pumarejo, whose distinguished son honors us with his presence here tonight.

During his Inaugural Address in 1934, President Lopez Pumarejo said, and I quote, "Our foreign relations in the future must not be based on that formal reciprocity of soulless diplomatic notes that travel from chancery to chancery. We shall try to take advantage of every opportunity to invigorate the ties of cooperation and active friendship with all nations but, above all, with those of our hemisphere."

How well this distinguished leader—and permit me to add, Excellency, his distinguished son—have succeeded in that very high purpose. Our mutual relations today are born of a very precious common heritage forged out of the travail of wars of independence. Both of our nations paid with the blood of patriots to achieve the dream of freedom, both in your country as well as in ours.

That common experience, I think, gives us common aspirations. Both of our nations desire to see the rule of law apply to our relations and to those among all nations. Both seek equality and reciprocity among nations. Both share the common knowledge that, in the complex world of today, nations bound in historic friendship and traditions must depend very directly upon one another.

Your country is renowned for its moral and intellectual leadership, for its moderation, for its keen sense of justice and for its dedication to greater progress and social justice for your people and the peoples of our hemisphere.

We of the United States admire these goals you have set not only for yourselves, but we appreciate them as great objectives for all of your people.

Ladies and gentlemen, I ask that you join me in a toast to His Excellency, the President of Colmbia, to Mrs. Lopez and to the people of Colombia. May our two countries always walk together in a mutual confidence and respect, and may our historic friendship contribute to the achievement of these noble goals of mankind—justice, peace and freedom.

President LOPEZ. Mr. President, Mrs. Ford, Mr. Vice President, Mrs. Rockefeller, Mr. Secretary of State, distinguished members of the Senate and the House, ladies and gentlemen:

Six years ago, a few hours before man first set foot on the moon, another President of Colombia, Dr. Carlos Lleras Restrepo, then the guest of President Richard Nixon, had the honor of speaking in this very room. The dream cherished for centuries by poets and fiction writers was brought to reality by American science and technology. We had evidently reached a landmark in the history of mankind.

Today, when the United States is preparing the Bicentennial celebration of the Declaration of Independence, it seems fitting to ask which of the two events constitutes a greater contribution to western civilization. The Declaration of Independence has a decisive influence on the process that led to the French revolution. It carried the seeds of the Constitution of Philadelphia, which has been so often imitated over the last two centuries.

The space feat, repeated later by other nations, is a source of controversy surrounded by ever-diminishing admiration. Few would disagree, however, that the Constitution of Philadelphia has been one of the key elements in the spiritual and material progress of this great Nation.

In the view of the distinguished English historian, James Bryce, the two outstanding achievements of the human spirit in the field of political organization are the written Constitution of the United States and the unwritten set of rules known as the British Constitution. Both have withstood the test of time.

In an era when people's admiration tends to be easily captivated by material accomplishments and much emphasis given to the gap between the pace of technological progress and the slow pace of social and human science, it is worth noting the foresight of the Founding Fathers. With profound insight into the legal matters of their day, they created the framework for the development of a different world which could not have been foreseen.

Those of us who believe in freedom and equality will be with you in spirit during the commemoration of the Declaration of Independence. A rendezvous, to be present on that historical occasion, would be perhaps out of order. The opportunity given to us by the encounter should transcend the formalities of protocol.

We should reflect upon the achievements

of the past and meditate upon freedom in general and the state of freedom in our continent, in particular.

The future of humanity is intimately linked to the question of freedom. The history of civilization, as we have known it, is one of continuous ascent toward attainment of that freedom. Religious freedom, freedom of dissent, freedom to assemble, freedom to claim for better working conditions and, in recent years, freedom from fear, freedom from want, freedom from unemployment.

These values, which have become commonplace, have ceased to be commonplace at a time when liberty suffers an eclipse within our own continent. But just listing them, we can see how difficult it is to disentangle the knot of very often contradictory rights, for economic freedom is not always compatible with the freedom from poverty or from unemployment and an unlimited freedom to employ will tend to hinder labor's conquests.

Very often other economic systems led people, particularly the young, to believe that freedom, as a value, must give way to the demands of economic life. Without forgetting the obvious difficulties, we must double our efforts to see that the next generation will not have to barter freedom of spirit for shelter from economic hardship.

This is at least the case of my country. Although it is true that we don't cling to any specific form of social system and even less to any foreign model and that we are ready to seek a better redistribution of our income through the implementation of programs such as tax, agrarian and educational reforms, there is none-the-less something upon which we cannot compromise. That is the quality of our life and, therefore, the right to think our own thoughts and dream our own dreams.

I am confident, Mr. President, that this meeting will bring about a better understanding which I already anticipate between our two countries. Also, that we will find a sense of partnership within a legal system based on impersonal and abstract rules, within which there will always be the right to dissent.

I have spoken on other questions about our own joint duties and responsibilities in this hemisphere. Going further now, I bring to your attention something that has been outlined in the past but which has recently aquired growing importance. Namely, that the responsibility for maintaining a world of spiritual freedom is a task which demands economic sacrifices. The sacrifices concern everyone equally but mainly those who can make them.

Colombia has recognized this not only with words but with deeds. We have given, for example, preferential treatment to Bolivia and Ecuador, relatively less-developed countries within the Sub-regional Andean Pact. We have promptly approved the increase in our share of the capital subscriptions for the World Bank and the Interamerican Development Bank. We have also made a contribution to the Caribbean Development Bank in order to provide financial support for the former European possessions in the area.

In every international forum we have sought an understanding between producers and consumers, trading off sometimes, as in the case of coffee and sugar, windfall gains for permanent stability.

As of the next United States fiscal year, we will forego any further loans from the Agency for International Development. Considering the fact that our export earnings are sufficient for our balance of payment requirements, we feel that the resources released thereby can be more useful to needier countries.

This contribution, however modest, is in accordance with our means. It is, none-the-less, tangible evidence that Colombia is ready and willing to bear its share of its humanitarian obligations, following thus the example set by the United States in the post-war era when, for the first time in the history of mankind, massive resources from one nation were distined to benefit non-nationals.

The Marshall Plan turned the defeated into victors with the help of the country which, having suffered less material damages, was in a position, if so desired, to impose its will upon the rest of the world.

From a Latin American point of view, the new Trade Act of the United States is not without shortcomings, among other reasons, because of the discriminatory treatment given to Ecuador and Venezuela. Nevertheless, it contains positive provisions that favor a lowering of tariffs which should benefit the developing countries. Let's hope that it will be implemented in the spirit of liberalization of trade rather than that of narrow-minded protectionism.

Colombia has applied for membership to the General Agreement on Tariffs and Trade and hopes, also, that these negotiations will provide a new scope for our foreign trade. Not in vain did we treble our sales of goods and services to the world in the last five years through the diversification of our own exports and the widening of markets for Colombian products in Latin America, Europe and the United States.

Although I am not here as a spokesman for other Latin American nations, this is an appropriate occasion to underline some of the conclusions which we have reached at so-called summit meetings among neighboring countries and add a few of my own vintage.

In the past, the relationship between our two sub-continents has tended to reflect an American campaign slogan, or a unilateral definition of policy, suitable perhaps for domestic political purposes but totally unrelated to Latin American aspirations.

Neither "the big stick," nor "the good neighbor," nor "the low profile," nor "the benign neglect" satisfy us because of their one-sided connotation. What is required is a new relationship between the United States and Latin America jointly formulated by both parties according to their needs and aspirations.

For this we already have a forum at the Organization of American States and an organization to present coherently our common points of view through the recently established Latin American economic system, SELA.

We are convinced that a nation which, through the years, has been capable of organizing the American Union, starting with States so dissimilar in their origin as were the 13 colonies and latecomers such as Hawaii and Alaska, must have an equal capacity to conciliate with the interamerican system, a community of forces, without disregarding the particular features of each State and their freedom to select their own economic structure.

It would be a tragedy for our continent that while Europe is creating instruments of economic cooperation that don't imply political obligations, such as the LOME Convention, we should still stumble on the same difficulties, or perhaps more serious ones than those we encountered 40 or 60 years ago.

This is the reason why Colombia sponsored the lifting of the embargo against Cuba, regardless of our ideological differences. The record of failures of this type of measure is still fresh in our minds—Ethiopia, Spain, Rhodesia and others—while we cannot recall any example which has been successful.

In the case of Cuba, where the sanctions were not applied, neither by European nations nor by some countries of this hemisphere, we would have been fooling ourselves, if we pretend to continue believing in their effectiveness, when the United States itself was allowing its multinational corporations located in countries which were not pledged to sanctions to supply the Caribbean Island with the capital and the know-how for products which we ourselves were already producing.

It has been a realistic step on the part of President Ford's Administration to adopt its own line of conduct towards Cuba while abstaining from the attempt to influence the decision of others on this matter.

A treaty that binds Colombia and the United States guarantees free passage through the Panama Canal to the warships and supply vessels of our Navy. We don't overstep any boundaries when we raise the issue of the Isthmus here or elsewhere. Colombia has a vital interest in the area based on geographical as well as historical considerations which have been recognized both by the United States and by Panama.

Taking a long-time view, we consider the Canal question as something of continental and worldwide interest. The far-reaching policy of understanding at the hemispheric level cannot survive if permanently jeopardized by transit incidents, military maneuvers of one side or the other, student protests and symbolic gestures that could very well one day start a bonfire in the continent.

With due respect for the position of the United States, it is necessary to recognize realistically and impartially that the considerations that prevail at the beginning of this century are irrelevant in 1975.

The preservation of unjust situations can never be our ideal. We are conscious of the spirit which moves the American Government to remove causes of friction. In 1927 we reached an agreement concerning the Roncador and Quitasueno and Serrana outcroppings in the Caribbean, thus putting an end to the "modus vivendi" established between the United States and Colombia in 1928.

Recently Under-Secretary of State Rogers has insisted before the United States Senate on the ratification of this treaty. If the intention is to terminate this "modus vivendi", admitting that reason assisted Colombia, owners of Spanish titles, before the argument of a so-called exploitation of guano invoked during the American Civil War, we cannot see the reason for consulting the International Court of Justice to determine if third party rights exist.

A transitory "modus vivendi" is ended by defining the claims of subscribing parts, not by having one of these become a spokesman for the interests of third parties which, not having been part of the initial pact are not affected by the new one.

We have noted with satiscation that the need for a consensus in international relations is now being discussed. This is also our policy. This consensus may seek to maintain the status quo or to help to bring about a new order. We don't believe that under the present circumstances the first of these alternatives could be conceded. At present countries which only five, ten, or fifteen years ago were politically dependent now have their own seats at the bargaining table. They come either on their own behalf or on behalf of other countries afflicted by similar problems.

Is there anything improper in the emergence of this new bargaining power? Columbia does not have atomic weapons, exportable fuel supplies, or large stockpiles of grain to enter national negotiations. Yet we are not surprised when nations that dispose of such assets such as these use them to increase their bargaining position.

Certain historical similarities exist between the post-war era in which we live and the

period of reconstruction of Europe after the Napoleonic wars. The French Emperor had been at war with a coalition of powers dissimilar in their ideologies, population, economics and military strength. Two European statesmen brought forward different view points in their attempt to build a lasting peace. Whereas Metternich endeavored to maintain the status quo through the Holy Alliance, Canning moved in the direction of change by recognizing the independence of the newly created Latin American Republic and their right to self-determination.

Am I wrong in assuming that the great turn we are seeing in American foreign policy leans towards Canning's philosophy? His experience of liberalization didn't turn out to be so unfortunate. Its aftermath coincided with the Victorian Era which marked the epitome of the influence of the British Empire.

On the other hand, the Austrian Empire, soon after Metternich was gone, became the sick man of Europe and his policy of the spheres of influence and balance of power began to crack down, giving way to the coming crisis.

Mr. President, the whole world, and America in particular, is eager to see whether the great powers are willing to undertake or accept new initiatives without freezing past injustices under the name of peace.

Colombia, with its modest resources, is ready to support the United States in sponsoring changes and in acknowledging new realities. Let's preserve what is worth being preserved and let's recognize that obsolescence of what has to be replaced. For these we claim our rights but, at the same time, we are ready to undertake our responsibilities and our commitments.

A toast for the prosperity of the United States, Mr. President and Mrs. Ford.

REAL ESTATE SETTLEMENT PROCEDURES ACT HEARINGS SCHEDULED

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. BARRETT. Mr. Speaker, the Subcommittee on Housing and Community Development of the House Committee on Banking, Currency and Housing will be holding hearings on the Real Estate Settlement Procedures Act of 1974, Public Law 93-533, on October 28, 29, and 30, beginning at 10 a.m., in room 2128 Rayburn House Office Building. Numerous problems have arisen in the implementation of this act since it went into effect on June 20 of this year. I have received an enormous amount of correspondence from Members of Congress, lending institutions, mortgage bankers, realtors, and the public at large complaining about a number of the provisions of this act, which are causing serious delays for prospective homebuyers in obtaining their mortgage loans and in closing on the property. These hearings are being called to explore the problems that have arisen and to hear from the administration, as well as various industry groups and the public about their problems with RESPA. While these hearings will be oversight hearings on the provisions of RESPA, the subcommittee expects to hear testimony on a number of bills which seek either to repeal the act or to make various changes in the provisions of the act.

Mr. Speaker, any persons interested in testifying should contact the Housing Subcommittee staff on 225-7054.

TAX BIAS AGAINST SAVINGS

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. ARCHER. Mr. Speaker, I commend for all Members' attention the outstanding attached article on the need for capital savings from the September 21 issue of the Washington Star, written by our colleague, JACK KEMP, along with a letter from Prof. Richard Timberlake in response to the article:

[From the Washington Star, Sept. 21, 1975]

THE TAX BIAS AGAINST SAVINGS SHRINKS EVERONE'S PIE

(By JACK F. KEMP)

The central challenge we face is to insure that the rate of saving and investment will be adequate to meet the capital requirements of our economy.

All major issues confronting public policy are dependent on capital formation. Creating jobs, maintaining the real level of Social Security benefits and the solvency of pension funds, meeting energy, housing and mass transit needs and demands for rising real wages, protecting the environment, ability to withstand Soviet pressures—these and all other public and private goals are constrained by an inadequate rate of capital formation.

Many economists now believe that the rate of capital formation is not adequate to meet the goals of public policy and maintain growth in real wages and employment. But some are reluctant to admit that the capital shortage we face is a product of the economic and tax policies of the past. Instead, they cling to policies which produced the shortage.

Walter W. Heller, for example, recommends stimulating consumption by deficits and monetary expansion. He believes that deficits which stimulate consumption produce a "full employment federal budget surplus" which will provide public saving to close the gap between capital needs and inadequate private saving. He mislabels measures designed to increase private saving and investment as "tax breaks for business" and claims that deficits which result from these measures produce "annual tax loss."

I believe it is important not only to note that Dr. Heller's economics has a double standard for deficits, but to understand that consumption-stimulative economic policies and tax biases against saving and investment produce capital shortages.

The idea that government deficits ipso facto increase the economy's ability to produce is false. The problem with all deficits is that they must be financed. This is especially a problem with deficits designed to stimulate consumption.

When the government finances a deficit by borrowing from the Federal Reserve, it receives newly created money with which to bid resources away from the private sector in which capital formation predominantly takes place. The government's spending might stimulate investment indirectly, but that investment which does not take place due to the bidding away of resources is a once-and-for-all-time reduction in investment.

When the government finances a deficit by borrowing from the private sector of the economy, no new money is created. But in order to purchase the government's bonds the private sector must reduce alternative forms of investment. Since the government's expenditures consist mainly of payments which go for current consumption, the net effect is to crowd out private investment. The composition of total expenditures is altered toward more current consumption and less current investment than would otherwise be the case.

The result of transferring funds out of current investment and into current consumption is a future income level that is lower than it would otherwise have been: tomorrow's living *standards* are sacrificed for today's. Consumption-stimulative deficits, however they are financed, eat into capital formation and future incomes.

On the other hand, if a deficit is generated by reducing the existing tax bias against saving and investment, we have a deficit which directly stimulates production. The deficit's negative effects on saving are more than offset by the increase in private saving which results from reducing the disincentives to save. There is a larger pool of private saving to withstand the bidding away of resources from, and crowding out of, private investment, and, thus, a greater rate of capital formation. The higher real wages and new jobs which result will generate additional tax revenues that will wipe out the initial revenue loss from the deficit.

Tax incentives to encourage saving, hence investment, are opposed by some on the basis of arguments that do not relate to their economic effect, but which are grounded in what they allege to be violations of equity. But in fact, the existing tax biases against saving violate equity. An intrinsic feature of present income tax systems is that they disproportionately increase the cost of saving compared to consuming. A distortion results because no general tax deduction is allowed for the amount saved, and the flow of future income resulting from the saving is also taxed.

If a deduction is not allowed either for the initial saving or the return to the saving, the tax on the portion of income saved is at a higher effective rate than on the portion of income used for current consumption. The income tax bias against saving is illustrated in the following example.

In the absence of a tax, $1,000 of current income might be used to buy a given amount of consumer goods or a 5 per cent bond paying $50 a year. The cost of $1,000 of current consumption is the foregone alternative of $50 of additional income in each future year. In the same way, the cost of $50 of additional income in each future year may be expressed as $1,000 of foregone current consumption.

If an income tax is now imposed at, say, 50 per cent, and there is no deduction for the amount currently saved or the return earned by savings, the effect of the tax will be to double the cost of future income relative to the cost of current consumption.

Once the tax is imposed, it takes $2,000 of pre-tax income to be left with enough money to buy the $1,000 of consumer goods. The tax, then, doubled the cost of consumption in terms of the amount of current pre-tax income required for the given amount of consumer goods.

But once the tax is imposed, $50 per year of additional income from the bond purchase requires $100 of pre-tax interest. If the rate of interest hasn't changed, this requires savings of $2,000, but in order to save $2,000 there must be $4,000 of pre-tax income. Thus, the tax quadrupled the cost of saving in terms of the amount of current pre-tax income required to buy the same amount of future after-tax income.

Looked at from another point of view, if prior to the imposition of the tax the person was trying to decide between buying an additional $1,000 of consumption goods or a 5 per cent bond, to remain confronted with

the same choice after the tax is imposed requires the interest rate to increase from 5 per cent to 10 per cent. Thus, the tax doubled the rate of interest which must be earned if the person is to continue to regard the investment choice as an alternative to the choice of more current consumption.

In the context of tax neutrality, a liberalization of existing capital recovery allowances, a tax deduction for households for savings from current income, a reduction of the income tax rate graduation, elimination of the double taxation of dividends, elimination of capital gains and losses from the tax base, and a reduction in the maximum estate and gift tax rates, would not create loopholes that distort the tax structure, but would be measures to remove existing distortions and achieve neutral tax treatment of private saving and investment.

Many of the existing tax biases against saving and investment developed 30 or 40 years ago under the influence of the long depression, which provided a rationale for taxation based on the mistaken Keynesian belief that there was a tendency in modern economies to have an excess of savings. Many features of current tax policy exist as relics of this fallacy. To save ourselves from a tax code that embodies this fallacy, the social importance of minimizing the tax discouragement to saving and investment must receive wide recognition.

Also required is responsible debate. Those who misrepresent the issue as the Fat Cat versus the Little Man employ an adversary rhetoric which indicates the weakness of their position.

Living standards have been raised by increased saving and investment, not by redistribution. The real cost of tax and other public policy measures which distort and depress private saving and investment, regardless of initial impact, always falls heavily on labor by reducing productivity and real earnings. People who out of ideology mislead labor by depreciating the benefits of capital formation are not friends of labor.

Some satirize tax changes which reduce the bias against saving as "trickle-down" policy. They oppose this with what they call "percolate-up" policy, which would increase the tax bias against saving. They attempt to buttress their case with an argument that inflation has hurt the consumer so badly, that he needs tax relief. But inflation has left the poor consumer an even poorer saver. If we give him tax relief as a saver, we will simultaneously give him relief as a consumer through the resulting increase in the output of goods.

Attempts to make some better off at the expenses of others by redistributing the pie have failed. We must turn now to a policy of a bigger pie so that our productive capacity can catch up with the demands that are placed on it. In place of a divisive program of envy, I recommend a more democratic program that focuses on making all of our citizens better off through a more rapidly growing economy that is more generous to all.

UNIVERSITY OF GEORGIA,
Athens, Ga., September 25, 1975.

EDITOR,
Washington Star Newspapers,
Washington, D.C.

DEAR SIR: I had occasion to read an article written by Representative Jack Kemp that appeared in the Star last Sunday.

I want to comment on the validity and timeliness of this article. It points out one of the principal deterrents that the federal government imposes on saving and capital growth in the private economy.

The tax-bias against saving is not the only road-block that the federal government uses. Another of its weapons is the "progressive" income tax. This device not only discourages capital formation by taxing investment income without regard to the risk-costs of obtaining it, but in conjunction with government-created inflation it also taxes the same real income at higher and higher real rates.

A final non-financial deterrent to capital growth is the mass of red tape some companies must plow through before they are allowed to expand their capital and produce more goods and services. Electric utility companies, for example, must prepare a trailer truck-load of cost and revenue estimates, reasons why, et cetera, et cetera, to the FTC and to state utility commissions before they can begin to build new facilities. The lag-time on such projects is frequently increased by two to five years by the essentially pointless paper-work and administration required.

With all these governmental restrictions on capital formation and savings, it is a miracle that there are any private investors left at all. It will be even more of a miracle if a free society continues to exist.

Sincerely yours,

RICHARD H. TIMBERLAKE, Jr.,
Professor of Banking and Finance.

PROPOSED MADIGAN AMENDMENT TO H.R. 8672

HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. MADIGAN. Mr. Speaker, before Congress now is H.R. 8672, a bill to put unemployed railroad workers back to work on the urgent task of rehabilitating railroad right-of-way. That is a critically important objective because it is wornout track and roadbed which most impedes efficient operation of our railroad system.

Rehabilitation of defective roadbed can result in energy conservation and improved rail safety. The derailment record of the bankrupt carriers is a well-known fact. Less well known is the impact of defective roadbeds in Amtrak ridership.

A recent study conducted for Amtrak by Robinson Associates, Inc. focused on the Chicago-St. Louis Amtrak corridor. That study concluded that ride comfort and speed are the most important elements in determining whether auto and airplane passengers will switch to travel by rail.

The study concluded that 50 percent of air passengers would be attracted to Amtrak in this corridor by a ride with good comfort. Even more importantly, substantial numbers of auto travelers would switch to Amtrak between St. Louis and Chicago if the ride were characterized by good comfort and speed.

Realization of energy savings of that magnitude would be a definite contribution to our national objectives. Therefore, I would hope to see roadbed improvement in the Chicago to St. Louis corridor.

It should be noted that Amtrak operates the French turbo trains in the Chicago-St. Louis route. They are capable of 125 miles per hour service, but are limited to speeds of 60 miles per hour by the defective right-of-way. Given the marketing study noted earlier with its indications of energy conservation potential in this corridor and the present operation of the turbo trains, I think this route should be directly eligible for the funds in this act.

For that reason, I believe that H.R. 8672 should be amended to permit carriers, who contract with Amtrak, to qualify as eligible applicants for funds under this act.

The best data available from the Railroad Retirement Board indicates that Illinois has the highest level of rail unemployment in the United States.

Therefore, it seems reasonable to make the rail carriers in those States with high unemployment directly eligible for grants under this act.

THE SALE OF HAWKS TO JORDAN

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. FRENZEL. Mr. Speaker, I would like to commend the gentleman from New York (Mr. BINGHAM) for his diligent efforts to work out a compromise on the proposed sale of Hawk missile batteries to Jordan. While I am certain the agreement which was worked out is the best that could be achieved under the circumstances, I share his misgivings regarding the outcome. I share his unhappiness, too.

Nobody has been able to make a convincing case that Jordan requires all 14 batteries. The Pentagon, based on its analysis of Jordan's defensive requirements concluded that six batteries were all that was needed to do the job. Yet we were faced with the reality that Jordan was prepared to obtain all of the anti-aircraft missile it wanted from other sources if we turned them down. This was the Hobson's choice which had to be confronted at this stage of the negotiations.

Fortunately we were able to salvage a strong commitment from both Jordan and the administration that the missiles would be permanently installed around fixed sites. With adequate monitoring this should help to insure that they will be only used for defensive purposes as originally intended. Even this modest concession, however, may turn out to be a pyrrhic victory for this sale will almost inevitably lead to an acceleration of the arms race in the Middle East. Whether deployed for defensive purposes or not, these weapons will give Jordan the necessary cover to carry out aggressive actions knowing that Israel's capacity to retaliate effectively has been sharply curtailed. Israel will now be forced to take this new situation into account and adjust its military strategy accordingly.

Hopefully this unfortunate episode has taught all concerned some important lessons in how not to conduct foreign weapons sale negotiations. Certainly Congress more clearly understands the value and importance of carefully scrutinizing these kinds of agreements. The executive branch in turn should have learned that these arms deals cannot be

concluded without taking into account the views of Congress. Finally, our potential arms customers must be made to understand that Congress will vigorously perform its newly won review function. We can ill-afford to repeat these costly mistakes in the future.

COMPENSATING FOR OVER-REGULATION

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. SYMMS. Mr. Speaker, in the September 1975, issue of The World of Agricultural Aviation, a guest editorial by our distinguished colleague from Illinois, Mr. PHIL CRANE, appears. Mr. CRANE points out what the costs of litigation are for American citizens and companies when caught in legal disputes with their Government.

In this day and age, with the rising world population and its concomitant demand for foodstuffs, the business of agriculture is beset with the same problems that plague all other businesses. In the article entitled, "Compensating for Over-Regulation," our colleague Mr. CRANE explains the rationale behind his legislation which would hold the Government responsible for the payment of attorney fees and court costs incurred when the Government brings suit against an American citizen or company, and loses.

I commend this article to the readership of the Members, and at the same time, encourage them to join in the sponsorship of this important and just piece of legislation as I have done.

COMPENSATING FOR OVER-REGULATION

(By Congressman Philip Crane)

When people think of the free enterprise system, they often think in terms of the big factory, the local shopping center, the blue or white collar worker, and the eight hour day. Often neglected is that group of Americans who work just as hard, if not harder, who take just as many if not more risks and who get no more, and often less, in return for their efforts. I am speaking, of course, of the American agriculturalist.

People often forget that, while comprising only 5 percent of the total population, farmers produce enough food for all Americans and a lot more people besides. In fact, agricultural exports accounted for the largest single item on the plus side of our 1975 balance-of-trade sheet; without the $12 billion surplus in agricultural trade we would have had a $10 billion deficit in our balance-of-trade figures.

Significantly, much of the increase in agricultural exports, and the corresponding increase in average farm income, can be attributed to a reduction in federal influence over the growing, buying, storing, and selling of agricultural products. But, while the advantages of increased reliance on the marketplace have become evident to both the Department of Agriculture and the American farmer, the lesson seems to be totally lost on the bureaucrats in the federal regulatory agencies. Instead of making it easier for agriculturalists to get the job done, the constant proliferation of regulations from agencies like the Environmental Protection Agency (EPA), the Federal Energy Administration (FEA), the Interstate Commerce Commission (ICC), and the Federal Aviation Administration (FAA) are making agricultural production more difficult and agricultural costs more expensive.

Of course, the mushrooming problem of federal over-regulation is not confined solely to the agricultural sector, but that should be small comfort to those engaged in agricultural activity. Regardless of how confusing, unreasonable or even contradictory the wording might be, the cost of complying with the myriad of federal regulations on the books is often cheaper than contesting those regulations in court, even if one is firmly convinced he is in the right.

The result, of course, is frequent instances of compliance by coercion rather than compliance based on the merits of the case. And, in some cases, neither complying with, nor the contesting of, regulations is realistic and the agricultural operator simply goes out of business with a resultant loss of jobs and agricultural productivity.

What has happened is that, instead of letting consumer democracy automatically regulate the quality of goods and services available in the marketplace, the pendulum has shifted too far in the direction of artificial regulation which substitutes compulsion for incentive and effectively limits the right of appeal. No matter what a defendant in a regulatory agency case does, he is sure to come out the loser. Even if he wins the case in court, the cost of defending himself is often higher than the cost of compliance and then there is always the risk of continuing harassment by a regulatory agency or inspector seeking vindication.

To address this situation and to swing the pendulum back to a more balanced position, I have introduced a bill which would compensate successful defendants in civil suits brought by the U.S. government. If passed, this bill would permit a businessman, who won a case brought by a regulatory agency, to get back from the government reasonable attorney's fees and other litigation costs. Such legislation would not only be fairer to aggrieved parties, but would give the American people, by virtue of the fact that compensation costs would become public knowledge, a way to judge the performance of the regulatory agencies.

In addition, enactment of such a bill would remove the penalty that now exists for people who choose to exercise their right to defend themselves against charges they believe to be unjustified. Moreover, it would encourage businessmen to fight unjustified suits while discouraging over-zealous regulatory agency bureaucrats from initiating suits lacking in merit or from continuing litigation for purposes of harassment.

As a consequence, and by way of example, it would be possible for an agricultural pilot, who has a complaint lodged against him by the FAA, to contest that complaint on the basis that another FAA regulation supersedes the one he is alleged to have violated or on the grounds that the alleged violation did not, in fact, take place. If he was then able, in the subsequent court case, to prove that one part of the regulations did indeed exempt him from another part or that his actions did not violate the specific regulation in question, then he would be compensated for reasonable attorney's fees and litigation costs incurred while fighting the case. Similarly, if he was accused by EPA, or some other federal agency, of using a fertilizer or pesticide that was allegedly doing damage to health or the environment and was able to prove that the product involved was not responsible for the damage alleged, then he would be able to recover legal fees and other court costs.

The examples go on and on. Employers believing themselves in compliance with the Civil Rights Act but still being dragged into court by the Equal Employment Opportunity Commission (EEOC) would be able to contest the application of EEOC's "affirmative action" guidelines rather than having to resort to reverse discrimination in order to avoid the expense of a no-win (financially speaking) legal fight. Likewise, those either baffled by, or unable to comply with, the voluminous regulation issued by the Occupational Safety and Health Administration (OSHA) could contest their case, and, if proven innocent, be compensated for their legal expenses. It doesn't seem fair to me that the very people whose tax dollars are used to initiate the federal regulatory agency suits should also have to pay for the cost of defense when they are proven innocent. As it stands now, it is little wonder that many businessmen feel like they are digging their own graves.

As for the cost of compensation, I think two points need to be made. First of all, the reduction in the number of suits brought by the government coupled with the increased likelihood that the suits which are brought will have more merit (and will stand up in court) should more than offset the cost of compensation. And second, is not the question of fairness an overriding consideration in this instance? I would certainly hope that the fear of compensation costs would not blind Americans to the obvious justice of the concept.

A good example of the injustice I am talking about took place back in 1961 when three major rock salt companies were accused of pricefixing. After two and one half years of litigation and $775,000 in legal expenses they were cleared of the charges against them. However, had they chosen to plead "no-contest" in the first place, the fine would have been no more than $150,000. Therefore, these companies were at least $625,000 worse off for having proved their innocence, which explains why so many companies, particularly small concerns, would rather submit to regulatory dictates than contest them. With examples like this, it is no wonder the regulatory agencies keep expanding their influence; as it stands now there is little to keep them in check.

In fact, when you get right down to it, the only body that can keep the federal regulatory agencies in check is the same body that created them—the United States Congress. While I am encouraged by the fact that more and more Congressmen are becoming concerned about various aspects of federal over-regulation, many remain to be convinced that we need to compensate for it, either financially as I have recommended, or by reform of the regulatory agencies themselves as others, including the President, have suggested. What many Congressmen need is more encouragement from the people they listen to the most—their constituents.

Certainly, from the standpoint of the free enterprise system, the need to "compensate for over-regulation" is there; whether that need is acted upon is, in large measure, up to the American people.

NUCLEAR ENERGY STUDY ACT OF 1975

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. MOAKLEY. Mr. Speaker, I would like to express my support for H.R. 7553, the Nuclear Energy Study Act of 1975. We are rapidly approaching the time when Congress must make crucial decisions on the future of nuclear power in this country. I, as a Member of Congress, do not want to make any decision on the basis of scanty and unreliable data. Yet, at this time, this is all we have on which to pass judgment.

It is tiresomely repetitious to cite our growing need for alternative energy sources. However this need must not override our concern for public safety.

The Union of Concerned Scientists joined with the Sierra Club in producing a 170-page report issued in December 1974 which estimates that in the event of a major accident at one nuclear power producing facility could result in the death of between 23,000 and 36,000 people. Financial loss could total $230 billion.

To avoid running the risk of a major explosion involving nuclear power, steps must be taken immediately to establish a clearinghouse for nuclear energy information. The Nuclear Energy Study Act contains provisions to evaluate, first, the safety and environmental hazards associated with existing nuclear fission powerplants; second, the effects of route emissions; third, the environmental and safety aspects of perpetual storage of high level radioactive wastes; fourth, the feasibility of detonating these wastes; fifth, the transportation of nuclear and radioactive materials; sixth, the risks associated with theft of nuclear materials and sabotage of nuclear power producing facilities; seventh, the economic effect of decisions to proceed with nuclear power or to terminate the use of nuclear power.

Mr. Speaker, I urge the rapid adoption of this measure.

HARRY ROSENBAUM DAY IN STAMFORD

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. McKINNEY. Mr. Speaker, I have found that one of the more rewarding aspects of public service is that it allows one the opportunity to encounter a wide array of diverse, talented, interested and all around extraordinary people. Some of these people are specialists in a given field while others have multifaceted interests, especially as they relate to the betterment of the community in which they live. On Sunday, October 5, the city of Stamford, Conn.—which I represent here in the House—will honor a gentleman who I would easily classify in the later group, a man of many interests and one with an abiding concern for his city. Mr. Speaker, October 5 in Stamford is "Harry Rosenbaum Day" but as anyone who has ever been in need would know, every day in Stamford is Harry Rosenbaum day.

In the last few weeks, I have asked a number of people, with whom Harry and I share friendships and associations, to cite one of his achievements which stands out from all others. No one could do it. Some could name three, some five, others, more. Mr. Speaker, Harry has just done too many good things for people although in those terms, as he knows, there is no such thing as "too many."

He is a transplanted New Yorker who came to Stamford some 40 years ago and his birth certificate lists his age at 75. That is just a number though because Harry looks 20, thinks 40, goes like 60, is looking forward to being 80 and in everybody's book, scores 100. I should add, Mr. Speaker, that as you may well assume, awards are not new to Harry for other organizations have shown their appreciation to him in the past. However, there is only one he has ever sought and that is constant for its the personal satisfaction he can enjoy in knowing he has beeen able to help someone along the way.

It is easy to understand then why Sunday will be a special day of celebration in Stamford as they honor a man "for his lifetime of involvement in the growth and betterment of the entire community." I know that every Member of the House would want to join me in extending congratulations and our best regards for a continuing and productive future.

INFORMATION ON A–10 FATIGUE FAILURE

HON. JEROME A. AMBRO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. AMBRO. Mr. Speaker, recent official and press reports have described results on Fairchild's A–10 test plane, the so-called fatigue model. To understand those reports, it is important to know that a fatigue test program is designed to prove the aircraft's basic structure through a lifetime of simulated grueling combat and training missions. The purpose of such testing is to isolate early in the program any structural areas that need strengthening, thus avoiding the necessity for a costly retrofit program after the aircraft have entered the active inventory. The tests are designed to produce the same kind of structural stress that the aircraft would encounter in actual mission flight. On September 23, the fatigue plane in question experienced a failure, but the subsequent Air Force report indicates that the problem is not a major problem, and that neither production nor jobs will be affected, and Fairchild assures me that corrective action is underway. The report is as follows:

INFORMATION ON A–10 FATIGUE FAILURE

On September 23, 1975 the A–10 fatigue test article experienced a failure of a fuselage frame. Based upon our initial analyses of the damage experienced by the test article, and stress survey testing, we have high confidence that both the retrofit and in-line production redesigns can be accommodated within the current forging design and overall aircraft dimensions. The redesigns will be local around the failed part. Our assessment is that the fatigue article can be repaired and tested to one lifetime (with the exception of the local failure area) before DSARC IIIB, scheduled for November 1975. An increase in weight of not more than 20 pounds will have a negligible performance impact. In anticipation of some redesign requirements from the structural test program, we budgeted for adequate funds within the Full Scale Development Program for such failures. We likewise have adequate engineering change order funding identified in the Production Program to cover the fix from this failure. The structural hot spot failure in the A–10 Program was discovered early, consequently, a small number (6 R&D and 18 out of a programmed production of 733) of aircraft need be retrofitted. The production rate of aircraft is low, building from one per month to two per month over the period that retrofit will take place.

GROUNDBREAKING CEREMONIES FOR THE ADMINISTRATION AND RESEARCH BUILDING OF THE CARY ARBORETUM

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. FISH. Mr. Speaker, I am inserting in the CONGRESSIONAL RECORD exerpts from the text of proceedings of the groundbreaking ceremonies for the administration and research building of the Cary Arboretum of the New York Botanical Garden at Millbrook, N.Y., on April 26, 1975. There is no need for me to paraphrase the remarks of those who participated. The innovativeness of the New York Botanical Garden today and its mission tomorrow is a story I recommend to my colleagues.

SPEECH BY MR. FRANCIS H. CABOT, CHAIRMAN OF BOARD OF MANAGERS, NEW YORK BOTANICAL GARDEN

Ladies and gentlemen, distinguished guests, friends of the Cary Arboretum, one and all. Welcome to these groundbreaking ceremonies for the major building that will be placed on the Cary land alongside the east branch of Wappingers Creek at the foot of the Cannoo Hills.

With me on the dais are The Honorable Ogden Reid, the Commissioner for Environmental Conservation for the State of New York, The Honorable Hamilton Fish, Jr., Representative in Congress from these parts, Dr. Howard S. Irwin, President of the New York Botanical Garden and also the head of the Cary Arboretum, Mr. Malcolm Wells, Architect for the new building, Mr. Selwyn Bloome, of Dubin, Mindell & Bloome, Engineers and last but not least, three old friends of Mary Flagler Cary—Mrs. L. Lee Stanton, Mr. Herbert Jacobi and Mr. Frank Stubbs. In the audience we have the Honorable Robert Low, who is the Administrator of Environmental Protection for the City of New York. Will you stand up Mr. Low. We're always glad to see our city cousins. We also have many other elected representatives and other officials of the County, Town, and Village governments of this area. We are particularly pleased to see Miss Louise Tompkins, who is the Town historian, who has come to this session today.

Helen Stanton with Messrs. Jacobi and Stubbs, and the late Edward S. Bentley as Trustees of the Mary Flagler Cary Charitable Trust, are responsible for the creation of the Cary Arboretum and also for permitting the New York Botanical Garden to act as mid-wife, nurse, and now young parent of this fledgling institution.

It is generally believed that an Arboretum should have four main thrusts:

1. It should be concerned with the role of trees and shrubs in the landscape from a scientific, horticultural, and aesthetic point of view,

2. It should have an active concern with the enhancement of the civilized landscape,

3. It should serve the public, help others make use of what it knows, and

4. It should be a permanent field station

using its living collections and its natural areas for monitoring long term changes, of an ecological nature, especially as urbanization of the region increases.

The Cary Arboretum's living collections, educational programs, and research work will not only reflect these four goals but will also do much more as you will learn this afternoon. When all is said and done, there should be no other arboretum like it in the United States, or for that matter, the world.

The New York Botanical Garden is thrilled to be associated with the Cary Arboretum and its development and is immensely grateful to Mary Flagler Cary and her Trustees. It is grateful, in general, for this chance of a lifetime to do its particular thing, and grateful in particular for the pioneering spirit that led them to support this pilot venture that is about to begin.

Howard Irwin, would you please tell us something of what is to come.

SPEECH BY HOWARD S. IRWIN, PRESIDENT, NEW YORK BOTANICAL GARDEN, AND DIRECTOR, CARY ARBORETUM

Just as the Cary Arboretum represents a marked departure from institutions of its kind, we here celebrate a marked departure from convention in architecture and in building engineering. For we are responding directly and squarely to the energy crises.

We are bringing the sun down to earth, so to speak. We realize that solar energy is the richest resource on the earth and that it is time for us to get acquainted with it directly. Figured at current prices, the sun's energy reaching the earth's surface each day has been said to be worth more than $500 billion dollars. Yet we are actually using only a few hundredths of one percent of the sun's energy that reaches the earth, and most of that for the production of food and fiber.

Why do we need to learn more about using the sun? Because the continued availability of energy is rapidly becoming the world's most pervasive, difficult, and dangerous issue. And what are the options open to us? Today 97% of the energy used to run this nation's industry, its agriculture, its transportation, to modify and illuminate human environments in homes and at work, to cook, to clean, to communicate, all of this is obtained by burning oil, gas, and coal. These are fossil fuels, the long dead remains of plants, and once used up they will be gone forever. We are told oil and gas will be gone in perhaps 30 years; that coal may last several hundred more, but at the cost of digging up 10,000 square miles of the United States and with the addition of lung-damaging sulfur dioxide to the air we breathe.

Conventional wisdom from Washington tells us that as in war so in peace, nuclear energy will save us. Yet the present types of nuclear reactors require fuel that will run out in 25 to 30 years and leave masses of long-lived radioactive wastes for our descendants to cope with. The breeder reactor, if it works, would obviate that problem, but trials thus far in this country and in the Soviet Union, with false starts and explosions have dimmed our hopes and still confront us with the absolutely essential requirement of isolating people from plutonium, the most potent radioactive material known.

This then, realistically, is what we see in the energy crisis. By the end of this century we may be tearing up vast areas to reach our coal or we may be building hundreds of breeder reactors, the cooling requirements of which will exacerbate yet another environmental problem lurking in the wings for us to cope with—the limited and fixed amount of fresh water in this world.

One of the most promising energy options that presently seems realistic in continuous and adequate availability and in minimal deleterious environmental impact, is the capture of solar radiation. As Farrington Daniels, who will come to be known as the father of solar energy application in this country wrote a decade ago: "There is no gamble in solar energy use; it is sure to work. It has been demonstrated that solar energy will heat, cool, generate power, and even convert salt water to fresh. The only problem before us is to do these things cheaply enough to compete with present methods."

That was 10 years ago. In the 10 years since those words were written, no one has challenged them and meanwhile, the economic barrier has vanished before our eyes—with soaring fuel prices, improved solar capture technology, and the intensified awareness of the environmental cost of fossil fuel extraction and combustion and of the hazards of nuclear power generation.

As environmental responsibility is the central theme in the research, the education, and the applied programs of the Cary Arboretum, it is fitting that this building, one of the principal nerve centers of creative work and coordination at the entire Arboretum, the seat of its research laboratories, its library, its plant specimen collection, its horticultural planning and records, and its business and administration, should stand a paradigm to that principle. I have dwelled on energy, but I could as well have pointed out the many design innovations incorporated to conserve energy, as well as to enhance the human environments within the building, to assure the efficient use of space, and to present an architectural statement befitting this institution and the community of which it is a part.

We are living in a time of crisis agendas and need now to cross over to the concept of long-range planning, the dividends from which we may never enjoy but which will assure an enjoyable world for the generations which follow. This change to long-range planning will require major changes in public attitudes. The needed technological capability is ours. We have the requisite scientific, humanitarian, and futuristic viewpoints in our society. What we need now is a sense of trust, a sense of understanding, a sense of cooperation—a deep concern and interest in what is going to happen to all of us rather than just what's going to happen to me or to you. That spirit pervades the Cary Arboretum of the New York Botanical Garden, and I am sure you will see that it is reflected in the plans and the reality of this exciting building.

SPEECH BY MRS. L. LEE STANTON, TRUSTEE

I have been thinking of what was the initial impulse that has resulted in this happy occasion today. What was the first moving force that has brought all of us here now. It was Mary Cary's love for this land and for everything that grew on it.

After Mary's sudden death, we Trustees were responsible for carrying out her wishes for property: that it be always preserved in its entirety as a natural resource. There were various ways this might have been done, many suggestions were made to us and a number from distinguished organizations with worthy schemes. But we felt that the New York Botanical Garden project for a research arboretum, combined the most wise preservation of the land, with the real possibility of making a permanent, lasting benefit to the environment for people far beyond these boundaries.

SPEECH BY CONGRESSMAN HAMILTON FISH, JR.

It's a pleasure to be with you today to participate in the groundbreaking ceremony for this important new project. As a resident of Millbrook, the occasion is a particular pleasure to me. I have had the honor of participating in such ceremonies in other areas of this district I represent, but this is the first time for me in my own home town. And my thanks, Mr. Cabot, to the New York Botanical Garden for their commitment to our community.

A $2 million project at any time would be important for our township as well as for our county. At this time of high unemployment, projects such as this are needed to strengthen and stimulate our economy and it is doubly so. But in a broader sense, in this age of dwindling energy resources, in marking the start of construction of this 28,000 square foot building, we are doing more than simply *breaking* ground for one more building. We are in a very real sense, participating in the dawn of what could well be the energy wave of the future. Although some individual homes have solar heating equipment, I believe that this is the very first building of its size in our part of the country designed to utilize solar heat and heat pumps for its total heating requirement.

Let me speak for a moment about solar energy, and this is touched on briefly in terms of the waste in terms of money, of the sun's energy. Each year the sun pours 3,600 quintillion BTU's of energy upon the earth, and that is about 18,000 times the amount needed to meet the world's demand for mechanical energy and heating. At many points it can be tapped to fuel electric power, to warm our homes and to drive our industry. This ladies and gentlemen is the opportunity and the promise before us.

The energy shortage was dramatized by the impact of the Arab oil embargo in 1973 and early 1974. The facts were, however, that our ability to develop sufficient, clean, pollution-free energy to meet our demands already was declining. Whether the Arabs cut off oil, or at some future date we simply used up the resource, the hard fact was, we were spending our natural energy resources like a profligate running through an inheritance.

Faced with the realization that something had to be done, and done before the oil barrel finally dried up, Congress this past year passed four public laws affecting the solar energy program. The first, the Solar Heating and Cooling Demonstration Act; the second, the Energy Reorganization Act of 1974, also the Solar Research Development Act; and finally the Federal Non-Nuclear Energy Research and Development Act. These four laws, which pertain to solar energy, contain broad authority for the Energy Research and Development Administration to conduct a wide range of programmatic activities related to the goal of ensuring that economically competitive and environmentally acceptable solar energy technologies are available to our nation at the very earliest time for utilization on a commercial scale.

Perhaps expressed another way, will afford a better idea of just how revolutionary this building is—just how much in the forefront it is of technological thinking and design. ERDA, Energy, Research and Development Administration, estimates that power systems based upon solar energy conversion through solar thermal and ocean thermal technology are not expected to be commercially implementable until the mid–1980's. And yet, here we are in a project such as this and the vision and daring of the backers of projects such as this, which will make solar energy available before then. It is for these reasons that I am particularly pleased and honored to be with you. For together here today, we are all participating in the future. Together we are taking a small first step along what will prove, I believe, a long road towards a day of environmentally safe, clean and inexhaustible energy.

Those few who gathered years ago around Thomas Edison and witnessed the first dim glow of the incandescent light bulb, could not possibly envision what the globe would

lead to. Neither can we fully foresee what a full use of solar heating and solar thermal conversion will mean. But we can predict, I believe, it will mean a better and brighter world.

Again thank you for inviting me to be a participant at the start of that bright tomorrow.

SPEECH BY COMMISSIONER OGDEN REID, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

I would like to first pay particular tribute to the Cary Trust. This magnificent effort here at Cannoo Hills of Mary Flagler Cary, I think is going to go down through the generations and I'm sure if she could be here, she would be very happy.

We are all, I think, familiar with some of the research of the Arboretum. But let me just mention the work with Con Ed in trying to do something new and creative about transmission lines. Quite frankly, Dr. Irwin, I would like to see transmission lines underground, but until such time as that becomes a reality, I think what you've done to try and protect the flora and the fauna and take a very hard look at herbicides had made a beginning of much sounder approaches. If you drove in to some of the beautiful valleys here this morning and looked around, you might have seen one of the power lines going right over a ridge line. Well we are just starting to learn, and the Cary Arboretum has helped us to learn that you don't want to run a powerline along a ridge line. That has some problems both to sediment and to the trees and the whole question of erosion.

I think what is happening here at this Arboretum, in terms of forest pathology and the whole concept of urban environment and how we are learning to manage some of the bad habits of man in an urban environment, and how we can come to the rescue of urban trees and how to develop trees that can survive, I think, is very significant and exciting work. And I look forward, as do all those in the Department of Environmental Conservation to working with the Arboretum and the New York Botanical Garden to do some exciting things. I might say, that in a recent chat with Dr. Irwin, he pointed out to me that the Botanical Garden has a plant library that is the largest in the world. But the problem is that many of the plants are not able any more, on this planet of ours, to keep up with environmental change. That should say something it seems to me to all of us, and I might say also that we've got a problem in this state called acid rain. It has something to do with sulfate emissions and Bob Low, who is here as Administrator, EPA, New York City, and is really cleaning up your air in New York City and doing a great job at that, and I both know that we've got to worry about what we're putting upstairs in terms of a variety of emissions. But the interesting thing about all this is that the early warning signals in the environment are our plants and our flora and our fauna. And when fish can no longer stay in Colden Lake in the Adirondacks because the pH content has gone too acid, it starts to mean that our flora and fauna and wildlife are the early warning indicators for all of us. And accordingly, I think, that the work that is going on here is going to be very significant in the days ahead and if plants can't survive, chances are we're not going to do such a good job of survival either.

Let me say that the Department of Environmental Conservation is also trying to do a few things to protect plants. As you know, a law was passed by the state legislature last year that sets up a protected plants category. We've listed 34 thus far that are vulnerable, like trillium and like the mountain laurel, and we're today considering a number of others through a panel of some 28 botanists and to those of you in the audience today, you might let me know, if you are inclined, whether any of the following ought to be included in the endangered plant species: Rosewood, White Adder's Tongue, Cuban Switch Grass, Slender Sea Oat, Northern Wild Rice, Smooth Bell Wart, Coastal Sweet Fern, Southern Wild Ginger, Perennial Glass Wart, Monk's Hood, Sweet Bay, or Wild Hydrangea. They are all applicants for being considered as endangered plants.

Finally, let me say just a word today about energy, because it seems to me we're particularly concerned about that. It seems to me that we are starting slowly but starting nonetheless to understand that there are finite limits to our planet, to our environment, and to our energy sources. The thought is occurring, I think, also, that it is possible to have irreversible environmental damage. In just this past week I've been concerned with saying a word or two about the SSI. That particular aircraft not only burns three or four times more jet fuel than existing planes, but it holds the possibility along with some other things we're doing, of creating irreversible damage to the stratosphere. And accordingly, I think, we've got to learn as we progress, not only should we avoid environmental damage on the one hand, but hopefully to develop cleaner sources of energy as well. Solar energy is certainly one. Tidal power may be another. Wind power is one that we could do much more with. I'm hopeful that in the State of New York we can develop a pilot plant on coal liquefaction and coal gasification. And I think that there are possibilities also of developing some of our natural resources in this State, hopefully, without any environmental damage. We have, for example, some 500 billion cubic feet of natural gas in Lake Erie. The Canadians have sunk over 700 wells and so far as I know, with no serious environmental damage. But, be that as it may, the kind of work that will go forward here I think is exciting. Let me mention one or two figures that you may not have noticed. Once this facility is moving forward, it will use 75% less commercial energy and will use 35% less total energy. It will be particularly scrupulous in the summer time in being planned in such a way that the sun's rays will not overheat and it is also being very thoughtful about what it does in the winter time because there it's going to maximize the heating potential from the sun.

So I think it's precisely this kind of endeavor that is hopeful for this State and indeed for our nation. But above all, I think the Cary Arboretum and the Botanical Garden and the generous efforts of Mrs. Cary in the past, being carried on by the Trustees today, represent a certain harmony because we have a facility that has been designed to minimize in any way, damage to the environment. There are going to be exciting things for the flora and the fauna and with it all you're going to be pointing the way for new leadership, for energy that is clean and hopeful and efficient. And I think that this is an exciting kind of endeavor.

THE ECONOMIC PLIGHT OF AGING WOMEN

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Ms. ABZUG. Mr. Speaker, while over 40 percent of the work force is female and 25 percent of the heads of households are women, the social security system fails to recognize this fact, treating married women as dependents, even when they have paid equal contributions into the system.

Nearly half of the women over 65 live either below or near the poverty line, due to gaps in social security coverage.

But social security is only part of the economic discrimination against women. Not only are women's earnings notoriously lower than those of their male counterparts, but women are also penalized for their childbearing years, in terms of pensions, lack of day care centers and flexible work schedules.

Representative PATRICIA SCHROEDER of Colorado brought these facts to the attention of the House Select Committee on Aging during its recent hearings in Denver. I compliment my colleague for her very fine statement, which is consistent with her tireless efforts in behalf of the concerns of women. I submit to the RECORD the following testimony by Congresswoman SCHROEDER, which points to past failures and the present needs for serious legislative action to bring greater equity and security to women:

THE ECONOMIC PLIGHT OF AGING WOMEN

I want to thank the Chairman of this Select Committee and its members for coming to Denver today to listen to what we in Colorado believe are the problems facing our aged. It is, of course, important to know what the problems are before proposing or taking remedial action.

But I wonder if there has been entirely too much talk and too little action.

In the year before the last presidential election, the White House Conference on Aging was convened, and solid recommendations to deal with the problems of the aged resulted. These recommendations were duly received with the appropriate rhetorical flourishes standard for political campaigns, and then they were locked away in that White House vault which I imagine is reserved for the reports of similar groups, and particularly, Presidential Commissions.

Politicians in Washington used to be charged with "throwing money at problems." That proved disastrous, so now reports of Presidential Commissions are thrown at the problems. I guess it is less costly, but the problems remain.

With the exception of pension reform, whose major benefits will not be felt for some years, and which does nothing for present retirees, the recommendations of the Conference on Aging have been typically consigned to oblivion. Indeed, groups of elderly Americans are currently being forced to fight to maintain the status quo for special housing programs.

But, while the problems of the elderly may be well known, there is one major aspect that is not normally identified: the particular problems of aging women.

For example, the Pension Reform Act of 1974 failed to include the one provision that women need the most—portability. The White House Conference on Aging broke down the problem of the aging into 19 categories, but not one addressed the specific problems of women. And, meanwhile, the Social Security System continues to function under the outdated assumption of segregated roles of men as "breadwinners" and women as "homemakers."

When over 40% of the work force is female, 25% of the heads of households are women, and divorce rates almost doubled in the past decade, it is time to throw out the 1935 assumption that women are only homemakers, whose earnings are of secondary importance to family income. Especially archaic and dangerous is the notion that all this doesn't matter because women will retain

their "dependent" status into old age, and someone will "take care of them."

Until we recognize and deal with changing reality, women over 65 will continue to constitute the poorest major segment of our society, with nearly half living below or near the poverty line. Because women constitute 59% of our nation's population over 65, and 75% of the population over 75, it is clear that a failure to provide for the needs of aged women quite simply means that the retirement system is a failure—period.

The most recent statistics are appalling. As of March, 1975, there were 12.4 million women 65 and over with a median annual income of $2,375. But stereotypes die hard, and the standard response to the figures is that they are deceptive because surely the vast majority of these women are living with their husbands or other relatives, and therefore are not forced to live solely on their own pitifully inadequate income.

That common assumption is wrong. The Bureau of the Census broke down their March, 1975, figures for me, and they indicate that there are over 5 million American women over the age of 65 today who are living alone with no means of financial support other than their own income. The median income for these women is $2,700 annually—and let me remind you that the official poverty level for an individual is currently pegged at over $2,400.

So, the situation is that over five million women in the country are old and alone, and about half that number are also living their last years in poverty—and very few have enough for more than the necessities of life.

Most of these women have not always lived alone, and most have not always been poor, but their circumstances have rapidly deteriorated with advancing age. What has happened to them is not inevitable, but rather, it is the result of discrimination throughout their lives which strikes its cruelest blows at the end. Given the circumstances surrounding elderly women, perhaps our longevity should be seen in a different light. It may well be no great advantage.

What can be done to help?

Elderly women are poor because of decreasing ability to work, and because of the inadequacy of private and public pension benefits which are the major sources of income in old age. Of course, these same problems affect men, but they apply to women to a much greater degree. Let me point out a few of the problems that apply specifically to women:

The major problem, of course, is that sex discrimination in employment turns into sex discrimination in retirement. Exclusion from "man-paying" jobs follows women into old age. Median earnings for women are less than half of a man's, and whether it is a private pension plan, or social security, it is on earnings that a benefit formula is based. Since women typically earn lower wages, they also earn lower pensions. Essentially, then, until we deal with sex discrimination in employment, there will always be a severe problem.

But there are other major factors involved. In the private sector, employers are still not required to have pension plans. It is for those low-paying jobs to which women have been traditionally consigned, that employers generally do not provide pension benefits. For those women who do work for employers with pension plans there is a vesting problem. Even under the Pension Reform Act, it usually takes 15 years for a pension to vest fully. Although more and more women are in the labor force, the responsibilities of family life often interrupt employment. Our society has traditionally encouraged such interruptions through emphasis on the role of women as homemakers, and the lack of institutional alternatives such as day care centers or flexible work weeks.

What this means is that women are much less likely than men to work for the same employer long enough to have a pension vest. Add to this the still traditional situation wherein the male is transferred by his employer to a different location. His wife accompanies him. The man continues to work for the same company but the woman most probably has to change employers and loses years towards a vested pension. The conclusion is that while portability of pension rights is important for everyone, it is essential for women. And we don't have it.

Now, let's take a look at Social Security. It is well known that women's social security taxes do not buy as much protection as a man's. But these discriminatory provisions, based on the archaic assumptions I mentioned previously, are in the process of being struck down by the courts. But there are many other problems.

For example, women are punished for motherhood by the public as well as the private retirement system. The periods that women are out of the job market for child rearing show up later in reduced benefits. The benefit formula averages out earnings, so that every year out for child raising is not disregarded, but rather counts for zero. If women had the same "work" lives as men (that is no time taken out for motherhood) it is estimated that only 11% as opposed to 24% would receive minimum benefits; and twice as many would receive the highest. As long as women have more years of zero earnings than men, even the full elimination of wage and job discrimination will leave benefits lower for women.

In this context, it is incredible that there are no credit provisions for time spent for labor in the home. But the Social Security Administration would probably reply that the "mother" is covered by the system—that's why "dependency" benefits were added in 1939. Let's look at that assertion.

First of all, there is a matter of principle. The government is fond of saying that the underpinning of the social security system is that it is an *earned* retirement benefit. That is why the people support it; and it is important to the wage earner that he (or she) contributed to the system. Well, the concept of having earned the benefits should equally apply to the homemaker—the issue of independence is involved.

But, there are real economic pitfalls to the "homemaker as dependent" provisions of the law. There is no coverage for homemaker disability. What happens if she has an accident? If someone has to be hired to replace her services, the impact is the same as a wage earner losing a salary.

If the benefits follow the "breadwinner" what happens with a divorce? A homemaker's rights to social security don't "vest" until 20 years of marriage. What happens to a woman who becomes divorced in her forties or fifties after nineteen years of marriage?

What about the widow whose benefits cease when the youngest child reaches 18, until she reaches 60? The homemaker at 50 faces very difficult handicaps in finding a job because of her age, sex, and lack of "recent job experience." In fact, not only is it difficult for women to find a job in their fifties, it is also difficult for women to keep their jobs after fifty. Studies show us that women are much more often forced into early retirement than are men.

In my view then, our public retirement system—Social Security—helps to reinforce the economic impact of sex discrimination, and punishes women for their traditional roles in society. And in her old age, a woman gets the big pay-off—abject poverty.

There is legislation before the Congress now to deal with the problems regarding social security—but none have been seriously considered by the Ways and Means Committee. Portability provisions for private pension plans passed the Senate, but failed in the House during the last Congress.

Mr. Chairman, I have clearly not addressed myself to all the problems of the aged; nor even to all the problems of aged women. But I think I have identified some problems which we know how to solve, if we have but the will.

LET'S GET THE RAILROADS MOVING AGAIN

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. PICKLE. Mr. Speaker, the most energy efficient mode of transportation available remains in many, many instances, the train. Yet United States use and development of trains, particularly for passenger purposes lags not only behind other industrial countries but also behind many developing countries as well.

Mr. Orren Beaty, president of the National Association of Railroad Passengers recently wrote an article in the Friends of the Earth newsletter explaining many of the problems and potentials of railway use in this country.

Although the issues involved are extremely complex, especially when we get into the issues of finding funds for and assessing responsibility for maintaining good tracks, the article gives a good introduction to the issue, and I insert a reprint in the RECORD at this time:

LET'S GET THE RAILROADS MOVING AGAIN

(By Orren Beaty)

Freight hauling is vital in a major industrial and heavy agricultural nation like ours. Railroads can do the job better, more reliably, with less air pollution, and with better fuel-use efficiency than any other mode of transport. With Amtrak's new, more reliable and comfortable passenger equipment now being built, trains can obtain the higher load factors that will make railroads the most energy-efficient transporter of people as well as freight. Both accomplishments are possible using existing facilities. Little, if any, additional land would have to be ripped from fields and forests or cities and towns to build new freeways or truckways or whatever.

Preserving railroads generally, and passenger trains in particular, however, is not an easy job, partly because government policy for the past 50 years or so has favored every other mode of transportation. While the railroads have built and maintained their own tracks and roadbeds and paid state taxes on them, the government (federal, state, and local) has built highways for the trucks and buses—as well as for millions of passenger cars—and has built canals and dredged rivers for barges that haul increasing amounts of freight while paying nothing in user charges. Federal and local governments have also spent billions of tax dollars building and maintaining airports, operating traffic control ssytems, and providing special weather services for commercial airlines and private pilots.

Since 1920, the United States Railway Association has determined, governments in this country at all levels have spent about $400 billion on transportation. Railroads have received less than one percent of that money. The federal government provides as much as a billion dollars a year in support of air travel and much more for building and maintaining highways. Gasoline, excise, and other use taxes pay only part of the costs. The railroads maintain their own tracks and roadbeds (inadequately), and often pay dis-

criminatory taxes while tortoise-like regulatory agencies deny them some efficiencies.

THE ROCKY ROAD

Railroads have had their ups and downs since their heyday before World War I. One decline was slowed by World War II, but when peacetime reduced the heavy military traffic, both passengers and freight, the decline resumed. Then the first heavy impact of an unbalanced national transportation policy hit passenger trains and, incidentally, prompted the formation of the National Association of Railroad Passengers to combat train discontinuances. The impact was greatest in the northeast, where financial collapse of the giant Penn Central in June, 1970, touched off a wave of railroad bankruptcies.

One emergency action followed another to prevent the collapse of the northeastern rail carriers from derailing the entire national economy. Now, in the fall of 1975, Congress and the Administration are in the final phases of a planned restructuring of both the ownership and the physical plant of railroads stretching from St. Louis and Chicago on the west to Boston and the Chesapeake Bay area on the east. Billions of dollars will be involved, but even this heavy expenditure will not do the job unless additional steps are taken to guarantee that dilapidated tracks and roadbeds are brought up to high standards and kept there.

Without better and safer tracks, the fine, fast new equipment Amtrak is putting into service will have to continue running at restricted speeds, unable to provide the expanded, reliable service that will lure Americans from their private cars.

The situation is different in many of the world's other important industrial nations, and even in some of the developing countries.

It may be no surprise to learn that passenger trains in France and Japan daily attain speeds of 125 and 130 miles per hour respectively. One can ride the 320 miles between Tokyo and Osaka at an *average* speed of 101 mph including stops, and the 360 miles between Paris and Bordeaux at an average speed of 90 mph. The surprise may come with knowledge that developing countries are catching up with European standards, while Europeans themselves are preparing for a further increase in train speeds by constructing new rights-of-way for the exclusive use of passenger trains.

France is planning a new line between Paris and Lyon to be built to 185-mph standards, although it will be operated initially at 155 mph. The trains that use it will be compatible with the existing rail network, over which they will run to reach the stations of Paris, Lyon, and more distant points. The Ministry of Transport has calculated that the line will save at least 100,000 tons of oil annually because the traffic diverted from air and automobiles will more than offset the increased energy consumption of the faster trains.

Perhaps because of similar calculations, construction of Italy's new 155-mph Rome-Florence line continued on schedule through last year's economic crisis. New lines are also planned in Germany and elsewhere in Europe.

Japan now has a total of 663 miles of high-speed line in service, the most recent segment having opened last March; 534 additional miles are under construction, and the country is aiming for a network totaling 4,300 miles. The "Shinkansen," as it is called, made a profit of approximately half a billion dollars in the 12 months that ended on March 31, 1974, even after allowing for depreciation and interest payments.

THE UNITED STATES LAGS BEHIND

Iran has purchased some French Turbotrains of the same design that Amtrak now operates on the Chicago-St. Louis and Chicago-Detroit runs. Reportedly sold out two to three days in advance, these Iranian trains average 74 mph on one 308-mile segment of their 574-mile Teheran-Mashhad route. And Argentina expects to operate 100-mph trains by 1977.

Unfortunately, with all the environmental advantages good rail passenger service brings, service in the United States today is generally much slower than in the foreign examples. The average scheduled speeds of all American trains, according to the timetables, is less than 50 mph.

Primarily because of its love affair with the superhighway and private car, the nation that normally prides itself on its industrial accomplishments must import French Turbotrains and Swedish electric locomotives, and is unable to run even those at speeds of which they're capable because of deplorable track conditions.

The New York-Washington Metroliners provide the one US service that international speed surveys acknowledge. Its fastest schedule calls for an average of 75 mph over the 224-mile route, including four intermediate stops. But Metroliners are limited to a top speed of 105 mph, schedules are not reliably maintained, and the ride is frequently rough. The Federal Railroad Administration has just announced a two-year program to restore the tracks to their 1969 condition and a 120-mph speed limit.

Congress, in writing the Regional Rail Reorganization (RRR) Act to salvage the bankrupt northeast railroads, mandated the establishment of genuine high-speed service over the entire Boston-Washington corridor. It called for upgrading the track to standards that would permit non-stop New York-Washington running times of two hours instead of the present three, and Boston-New York non-stop trips of 2.75 hours instead of four.

The Administration has taken its time implementing this mandate. An interim program to restore previously existing speeds is also in progress on the Boston-New York run, where the fastest trip is now at an average of 58 mph, but the Administration has yet to express a commitment to attaining the goals of the law.

On the bright side, there is substantial evidence that Americans, like their European and Japanese counterparts, will patronize good service when it is provided. Surprising ridership increases are being realized on clean, reliable trains operated at relatively slow speeds. The French Turbotrains operating between Chicago and Detroit, which achieve an overall average of only 50 mph and do not exceed 70 mph, drew 90 percent more passengers in June of 1975 than in the same month of 1974. In contrast, the system-wide trend in 1975 is toward reduced riding as a result of the recession, compared to last year's greater use during the energy crisis.

NO NEED TO WAIT

It seems there is no need to wait either for 100-mph tracks or for the futuristic types of vehicles our government has been playing with for the past decade while other countries were improving service. Citizens can reasonably demand the immediate restoration of service wherever adequate tracks exist and reasonable ridership levels are foreseen. Tracks can then be improved as needed.

Amtrak's network has grown steadily, in fact, since the quasi-public corporation began operating a skeleton system on May 1, 1971. Routes have been added either as a result of the direction of Congress or where states have taken advantage of Section 403 (b) of the Amtrak law, which enables states to get new service by agreeing to pay two-thirds of the cost. The Administration advocates changing this arrangement to a 50-50 basis to reduce the state share; then states would be forced to pick up half the losses or to lose the service. Successful 403(b) programs involving more than one route are sponsored by Illinois, Michigan, and New York; Minnesota participates to a lesser degree.

Under Section 403(a), Amtrak is empowered to initiate new routes on its own, and 403(c) requires the corporation's board to initiate at least one experimental route per year. Amtrak recently made its first use of 403(a) by adding a Dallas section to its Chicago-Houston "Lone Star."

THE BIG PROBLEM: LACK OF TRACK

One problem delaying restoration of passenger service is the absence of adequate track in many of the most promising corridors; such as across heavily populated Ohio and Indiana. Even though Indianapolis was served by two north-south routes in Amtrak's basic system (Chicago-Cincinnati-Washington and Chicago-Louisville-Florida), no such service is provided now because deteriorating tracks have forced the rerouting of these trains to other railroads which bypass Indiana's largest city. Beginning October 1, Cleveland will once again have intercity service—one daily Boston-New York-Chicago round-trip—but service will be about five hours slower than it was ten years ago, and Cleveland still awaits logical links to Pittsburgh and the Columbus-Dayton-Cincinnati corridor.

The RRR Act provides for upgrading most of the mainlines needed for Midwest services, and there is hope that passenger trains will be able to attain 80 mph on many of these routes within five years—about the time when foreign services will be approaching 155 mph!

Aggressive efforts by a growing number of states that want good rail passenger service are being aided by private organizations of railroad enthusiasts. The efforts of Illinois, Michigan, New York, and Minnesota have obtained new routes. Massachusetts had one 403(b) service for awhile and wants to restore it. Pennsylvania, Ohio, Wisconsin, Florida, and California are looking for new services. State and regional groups, such as the Northeast Transportation Coalition, the Northeast Corridor Rail Action, and associations of railroad passengers in a number of states—Ohio, Michigan, Florida, Georgia, and Texas—have been in the forefront of such projects: There are about 20 active state or regional groups, along with NARP, doing the necessary groundwork that could lead to expanded and improved service.

In addition, a number of local associations of commuter riders are working on making better use of existing railroad facilities. The states of Maryland, Pennsylvania, New Jersey, New York, Massachusetts, and Illinois have been progressively involved. In many cases, the quickest method to bring fast rail transit service to the suburbs is to make the greatest possible use of existing railroad facilities and to operate what is traditionally known as "commuter rail" service. This method is cheaper and involves less community disruption than the construction of separate exclusive-use tracks for a rapid transit system. Since the tracks are already in place, trains can run farther from the central city, minimizing the number of automobiles converging on individual stations.

COMMUTING IN TORONTO

Toronto, Ontario, provides the most dramatic example of a commuter rail system built from scratch. Service in two directions from downtown Toronto was inaugurated on Canadian National Railways tracks only two years after the decision to institute it was made. Fifteen thousand trips per day were being handled three months after the line opened, and that in a low ridership month for commuter operations.

Such opportunities in the United States have been neglected because of the combined pressure of private railroads not anxious to have to "bother" with more passenger trains

and of the special interests that stand to benefit from construction of massive suburban rapid transit systems. (This is not to say that no more subways should be built, but that railroad facilities should be more closely examined for the provision of service to the suburbs.)

Not only is the Toronto example unlikely to be repeated in this country, but several existing commuter rail services may be lost within the next year as a result of the RRR Act. These services are not presently subsidized by state or local governments, generally because they extend beyond the boundaries of transit districts for the metropolitan areas they serve. Since the RRR Act envisions somewhat hopefully that ConRail (Consolidated Rail Corporation), the new operating entity that will succeed Penn Central and the smaller northeast bankrupts, will be profitable, ConRail will not maintain commuter services at its own expense. It can be expected to discontinue them if subsidy arrangements cannot be made, probably by February 1976, when ConRail is scheduled to begin operations.

SUBSIDIZE COMMUTERS

We agree that ultimately these services will have to be supported by transit authority subsidies from the states or localities involved. However, our experience indicates that in an area where rail services have not previously been subsidized, it takes time to develop the political climate and the legal and funding capabilities. Since most of the attention of planners and the public in the northeast has been focused on freight, many of the people who would be working to save these trains are unaware that the services are in jeopardy.

Therefore, we urge Congress to amend the RRR Act to provide a 100 percent federal subsidy for the ConRail commuter lines for a year or two to give interested local groups and governments time to preserve badly needed services.

We also support massive federal efforts to upgrade mainline inter-city trackage. The railroads can't or won't do it, and without improved tracks, Amtrak can't provide the fast, reliable service the nation needs. We prefer public ownership of the tracks, with the private-enterprise railroads and Amtrak paying user fees to cover the costs after the initial rehabilitation. This procedure would protect the taxpayers' investment.

If Congress or the Administration can come up with a better method for better tracks for an intercity rail passenger network, we will support it. We demand action on some reasonable plan, however, before we have no trains left. The next few months are a time for important decisions in the transportation field.

NATIONAL SAFETY COUNCIL SAYS AMERICA NEEDS THE HIGHWAY TRUST FUND

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. SHUSTER. Mr. Speaker, the prestigious National Safety Council, a nongovernmental, nonprofit, public service organization chartered by the Congress to work in all aspects of accident prevention and safety, has urged Congress to preserve the highway trust fund. Following is a portion of their testimony given before the Surface Transportation Subcommittee on September 23:

NEED FOR HIGHWAY TRUST FUND

Customarily the National Safety Council refrains from discussing Congressional financing devices for safety programs, because the Council does not purport to any expertise in Federal fiscal and budget policy. However, our concern with the Highway Trust Fund is quite a different matter, because its operation inheres in the very effectiveness of the two highway safety programs we have discussed—the driver-oriented State and community highway safety program under Section 402 and the road-oriented Federal-aid highway construction program. I must frankly say to this Committee that, without the Highway Trust Fund, I fear for the continued viability of both of these necessary highway safety programs.

1. For Driver-Oriented Safety Programs. The 91st Congress was the first to make provision for Trust Fund financing of Section 402 programs, P.L. 91-605. Since then, increased Trust Fund support was absolutely essential to the achievement of even the modicum of action programs now financed with Federal, State and local funds. The pre-Trust Fund experience is a clear and unhappy demonstration that, without Trust Fund financing, Section 402 would be starved to the point of virtual standstill. Therefore, the National Safety Council strongly urges that the Highway Trust Fund be continued in its present form in order to provide this absolutely essential financing for Section 402 programs.

2. For Road-Oriented Safety Programs. The same situation prevails in the road-oriented safety programs which are of such vital importance to highway and traffic safety. The Highway Trust Fund has shown itself to be an effective and publicly acceptable mechanism for constructing and upgrading the roads which are so essential to the American life style and to increasing safety and vehicular mobility. Highways deteriorate with usage and age, and once-safe roads can become hazardous with time and changed circumstances. The road program requires the continued Federal leadership and financing assured by the Highway Trust Fund. Therefore, in the interest of highway safety and saving lives, the National Safety Council strongly urges extension of the Highway Trust Fund beyond the October 1977 expiration and that the Federal-aid highway program be continued in its current form and at no less than its current level of financing, in order to achieve a more acceptable degree of traffic safety on the roads and highways of the nation.

WHY CONSERVATIVE LAWYERS ARE HARD TO FIND

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. McDONALD of Georgia. Mr. Speaker, we have all seen how assiduously leftist activists within the legal profession work tirelessly to force their views into law. Many have wondered why there are so few lawyers of different outlook. A possible explanation has come to hand, in the form of a lawsuit by the administration of the Delaware Law School against an official of the American Bar Association. The trials and tribulations of a "conservative" law school, in seeking accreditation, are detailed in the complaint; if true, these allegations indicate a distinct hostility toward "freedom of speech" when it is not "liberal." In this century, Americans have witnessed a transition away from a constitutional republic toward a runaway mobocracy. Key to this transition has been the defeat of the principles of constitutional law at the hands of those who espouse social law. Unless there is a rebirth of the concepts of constitutional law, our system will not survive. This rebirth will require the teaching of the principles of constitutional law in America. In our schools of law, to date, unfortunately, this dangerous trend has not been reversed.

[In the U.S. District Court for the District of Delaware, Civil Action No. 75-]

COMPLAINT

(John H. Tovey, plaintiff, *v.* Arthur A. Weeks, defendant)

(A jury trial is demanded)

FOR A FIRST CLAIM

4. At all times relevant hereto, over three-quarters of the states in the United States have provided, either by court rule or otherwise, that no graduate of a law school could take the bar examination and become a lawyer in that state unless the school from which he had graduated was, at the time of graduation or before, placed on the approved list ("accredited") by the House of Delegates of the American Bar Association, whereby the American Bar Association has exercised delegated governmental power.

5. At all times relevant hereto, almost all students attending the Delaware Law School came from and intended to practice law in states requiring graduation from an A.B.A.-approved law school to become lawyers, thereby rendering a degree from a non-approved law school worthless for the practice of their profession.

6. On information and belief, at all times relevant hereto, the House of Delegates of the American Bar Association has only approved law schools upon a favorable recommendation of the Council of the Section of Legal Education and Admissions to the Bar (hereinafter called the "Council"), finding that the law school applying for approval substantially complies with the "Standards for Approval of Law Schools".

7. On information and belief, at all times relevant hereto, the Council has generally, although not always, required a favorable finding by its Accreditation Committee, in order to make a recommendation for approval to the House of Delegates.

8. On information and belief, at all times relevant hereto, the Accreditation Committee has generally, although not always, required a favorable finding by an inspection team in order to make a favorable recommendation to the Council that the law school was meeting the Standards for Approval.

9. At all times relevant hereto, when a law school applied for approval, it became the function of the Consultant on Legal Education to the American Bar Association, a paid employee of the Council who, prior to December 31, 1973 was Millard H. Ruud, and subsequent thereto was James P. White, to select a team to inspect the law school and write a report of inspection to the Accreditation Committee and Council, stating the condition of the school, and whether it substantially complied with the Standards for Approval, which report is given great weight in determining whether the school will be recommended for approval by the Council.

10. On information and belief, during the fall 1973, Rudd, White, and a majority of the Council and its Accreditation Committee were politically "liberal", and knew that the founder and then Dean of the Delaware Law School, Dr. Alfred Avins, as well

as a majority of its Board of Trustees and many faculty including the plaintiff, were politically "conservative."

11. On information and belief, during the fall 1973 and continuing to date, Ruud, White, E. Clinton Bamberger, now the Chairman of the Council, Harold G. Reuschlein, now the Chairman of the Accreditation Committee, and sundry other members of the Council and Accreditation Committee not now known to the plaintiff, entered into a wrongful plan or understanding to fraudulently manipulate the inspection process and accreditation process in order to delay A.B.A. approval of the Delaware Law School beyond the period of time when it had in fact substantially met accreditation standards used to approve other small law schools, in order to place pressure on the law school, its trustees, and the law students and their parents, to eliminate then Dean Avins, "conservative" faculty, including the plaintiff, and "conservative" trustees, especially if deemed to be in agreement with Dean Avins, from positions of influence in the school, because of political hostility to the aforesaid "conservatives."

12. On information and belief, in pursuance of said wrongful plan or understanding, sundry overt acts were carried out, a schedule of which is annexed to this complaint, and made part of this complaint.

13. On information and belief, the aforesaid Council and Accreditation Committee members, and Ruud and White, well knowing that the first class of the Delaware Law School was scheduled to graduate in June 1975, and that it was absolutely indispensable for the school to be recommended for accreditation by the July 1975 meeting of the Council if the students were to be allowed to take the July 1975 bar examinations in their respective states, further entered into a wrongful plan or understanding in Fall 1974, to discriminatorily and falsely find that the school was not meeting the Standards for Approval in February 1975, in order to compel the Board of Trustees of the Delaware Law School to affiliate or merge with a college or university, particularly Widener College, to gain approval by July 1975, in order by said affiliation or merger to eliminate the existing Board of Trustees or at least diminish its influence by swamping them with new trustees.

14. Pursuant to the aforesaid wrongful plan or understanding, and as a result of the fraudulent manipulation of the inspection and accreditation process, and in order to obtain accreditation by July 1975 and avoid grave injury both to the law school, as by withdrawal of students upon failure of accreditation, and to the students themselves, the Board of Trustees of the Delaware Law School was compelled to vote to affiliate or merge with Widener College, and to turn the said law school, previously an independent and a non-stock corporation, into a stock corporation with one share of stock of a par value of one dollar, and to issue said share of stock, representing the whole property in the law school of a value of over one million dollars, to Widener College for one dollar.

15. On information and belief, during the academic year 1974–75, officials and trustees of Widener College, Pennsylvania, desired a law school and studied starting one, but concluded that it could not afford one financially, unless it was able to "capture" free of charge, the Delaware Law School, and utilize the work done by Dr. Avins, the founder, which in turn could only be accomplished by delaying the accreditation of Delaware Law School so that the American Bar Association officials could put pressure on the graduating students, to in turn press the trustees of Delaware Law School, to affiliate with Widener in return for accreditation, in violation of printed Standards for Approval of Law School.

16. On information and belief, defendant Weeks, in the Fall 1974 and thereafter, entered into a wrongful secret understanding with the President and sundry officials and trustees of Widener College and White sundry accrediting officials of the American Association, which understanding or agreement provided that the Board of Trustees of the independent Delaware Law School would be forced to affiliate or merge, and thus swamped with new trustees or eliminated entirely, by Widener, and Dr. Avins would be divested of his influence over the school which he had founded, and conservative faculty identified with Dr. Avins including plaintiff would not have their contracts renewed, all as desired by liberals in the A.B.A. accreditation process, that Widener in return would receive a going law school of a value of over one million dollars for one dollar, and defendant Weeks would either receive a new contract as law school dean from Widener College at a salary over one and one half times his salary at Cumberland Law School, his previous place of employ, or if he went to Jackson Law School in Mississippi, he would be guaranteed the accreditation of that law school by the American Bar Association.

17. On information and belief, officials of Widener College well knew of the fraudulent manipulation of the accreditation process by American Bar Association officials, and the reasons therefor, as aforesaid, when contracting to affiliate or merge with the Delaware Law School, and when receiving the said share of stock, and acted in concert with and as agents of the aforesaid A.B.A. officials in carrying out their purposes.

18. On information and belief, the aforesaid manipulative and fraudulent practices of A.B.A. accreditation officials resulting in the issuance of stock to Widener College in interstate commerce constituted the promotion by these officials of securities fraud in violation of Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. sec 78(j) (b), and 17 C.F.R. sec. 240.10b-5, of which defendant had knowledge and intended to promote, in order as previously stated to insure the termination of obstacles to defendant's elimination of plaintiff from his position at Delaware Law School.

19. The founding Dean of the Delaware Law School, Dr. Alfred Avins, first employed the plaintiff, and had he remained Dean, or had the Delaware Law School trustees not been compelled to affiliate or merge with Widener College, the plaintiff would have been continued in his employment for the Summer Session 1975 at the law school, and would have had his contract renewed for academic year 1975–76, and have received a permanent, tenured contract for that year or thereafter, but instead defendant Weeks, pursuant to the aforesaid plan, did not renew plaintiff's contract for summer session 1975 and academic year 1975-76 or provide a tenured contract for plaintiff, as he had a reasonable expectation of receiving, pursuant to Dr. Avins' recommendation, whereby defendant unlawfully defeated plaintiff's reasonable expectation of a new or renewed contract.

JOHN H. TOVEY, Esq.,
Plaintiff pro se.
FRANKLIN LAKES, N.J., *August 15, 1975.*

WAYNE COUNTY COMMISSIONER SPEAKS ON ECONOMIC DEVELOPMENT LEGISLATION

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. DIGGS. Mr. Speaker, on September 23, 1975, the Honorable Roscoe Bobo, chairman of the Board of Commissioners for Wayne County, Mich., testified before the House Public Works Subcommittee on Economic Development concerning economic development legislation. I believe his testimony, submitted on behalf of the National Association of Counties, is an important statement on an issue of importance to all Members, and I would commend it to the attention of my colleagues:

STATEMENT OF ROSCOE L. BOBO

Mr. Chairman and members of the Subcommittee:

My name is Roscoe L. Bobo, Chairman, Board of Commissioners, Wayne County, Michigan. I appreciate the opportunity to testify today before this distinguished Subcommittee on behalf of the National Association of Counties. We in county government have a high regard for the work of this Subcommittee and for your continuing attention to the economic development needs of the nation.

My testimony will deal principally with three matters:

1. An extension of the Public Works and Economic Development Act of 1965 when it expires next year.

2. The need for a prompt House-Senate conference on HR 5247 Emergency Public Works legislation . . . and

3. Problems encountered by counties in the implementation of the new title X Job Opportunities Program.

Let me take a moment to familiarize the Subcommittee with the current economic situation in Wayne County. Located in Southeastern Michigan, Wayne County contains 2.6 (two-point six) million people residing in forty-three communities. The largest of these communities is the City of Detroit with 1.4 (one-point four) million people.

Chief among our problems is unemployment brought about by the current recession.

Countywide, our unemployment level is slightly over sixteen percent.

Even in the best of recent times, unemployment in our county has persisted at eight to ten percent. Within the City of Detroit, and within the core of Detroit, these percentages have been twice and three times the countywide figure.

I stress these grim facts, Mr. Chairman, to point out the tremendous need of Wayne County and its citizens . . . for Federal assistance.

As for the matters pending before this Subcommittee, I now address the issue of Extension of the Public Works and Economic Development Act of 1965.

The National Association of Counties supports the proposed three-year extension of this Act. The grant and loan program for local economic development provides a proven and successful approach to the problem of persistent and substantial unemployment. It ought to continue without change.

Wayne County has participated in the Economic Development Act program for some time. Our county formulated a county-wide overall economic development plan. This plan has served as the basis for application for Economic Development Act funds by Detroit and smaller communities. Through County planning, we have been able to approach economic development on a comprehensive, regional basis.

Regarding Emergency Public Works Legislation, we wish to strongly urge prompt consideration by a House-Senate Conference Committee of HR5247. The House version of this legislation authorizes a 5 billion dollar program of grants to state and local governments to combat unemployment through the construction of needed public facilities.

The Senate amended HR5247 to provide $3.85 (three-point-eight-five) billion in anti-

recession assistance. This would include $2.125 (two-point-one-two-five) billion for public works activities and $1.7 (one-point-seven) billion in anti-recession grants to state and local governments with unemployment rates in excess of six percent.

County governments believe it is essential that the Congress promptly approve a package of public works and anti-recession assistance to help them to cope with the current emergency.

A public works program would greatly assist in creating jobs.

The anti-recession—or counter-cyclical—assistance program would save jobs in the public sector and minimize local tax increases or service cuts.

In Wayne County, we need public works funds to assist us in the construction of a county jail program that will cost about 30 million dollars. We are required to build this jail by court order. Construction of this jail could begin within 90 days. Unless federal assistance is forthcoming, the only way we can comply with the court order is to reduce other services such as support for our County General Hospital.

Wayne County is projecting a deficit for this fiscal year of approximately 10 to 12 million dollars. We have already transferred nearly four million dollars from our Capital Fund to offset this deficit.

We desperately need the 8 million dollars to which the County would be entitled under the anti-recession proposal. We therefore urge that any final public works bill include a provision for an anti-recession—or countercyclical—grant program.

Finally, regarding Implementation of Title X Job Opportunities Program, counties are concerned over the manner in which this is being implemented. The purpose of this program—as the Subcommittee knows—is to combat unemployment with labor-intensive activities. Under the program, the Department of Commerce is authorized to fund projects submitted by other federal agencies.

The latest round of funding for the program included the release of $375 million in August. The Economic Development Administration administers the program. Economic Development Adm. set up an extremely tight time frame. Together with the lack of written instructions and procedures, this time frame made it nearly impossible for counties to apply for these funds.

On August 19, Economic Development Administration notified other federal agencies that funding under Title X was available and that applications must be received by EDA by September 15. The agencies in turn were to notify their clients—counties, cities and states—that funding was available.

You can imagine the time needed to transfer this information to state and local governments as well as the internal agency deadlines needed for the federal agencies to comply with EDA's September 15 deadline. What resulted was that counties had only a few days with which to prepare and submit applications, if they could do so at all. All of this leads us to question whether the Administration is serious in spending these funds to fight the recession.

Let me say in closing, Mr. Chairman, that the recession as it affects counties is not over. We desperately need federal assistance.

We need emergency assistance such as that contained in a combined public works—countercyclical program to help us deal with the current situation of excessive unemployment.

We also need federal assistance embodied in the basic Economic Development program to help stem persistent structural unemployment.

We urge your prompt action on these matters.

"RAILWAY AGE" COVER STORY FEATURES BUD SHUSTER'S VIEWS ON RAILROAD TRUST FUND

HON. THAD COCHRAN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. COCHRAN. Mr. Speaker, the September 29 issue of Railway Age features an indepth interview with Congressman BUD SHUSTER of Pennsylvania, ranking minority member of the Public Works Surface Transportation Subcommittee.

I commend this thoughtful article to my colleagues' attention:

RAILROAD TRUST FUND: TWO VIEWS

(By Luther Miller, editor of Railway Age)

Examine the bios of Asaph H. Hall and Bud Shuster and you find some striking similarities. They are young (early 40's). They are brainy (Hall is a Phi Beta Kappa out of Dartmouth, where he earned B.A. and M.S. degrees; Shuster earned his Phi Beta key at the University of Pittsburgh, and went on to pick up an M.B.A. at Duquesne and a Ph.D at American University). And they are key figures in the shaping of Ford-Administration transportation policy (Hall heads the Federal Railroad Administration; Shuster is the ranking Republican member of the Transportation Subcommittee of the House Public Works Committee—which now has jurisdiction over mass transit as well as highways, and hopes soon to bring railroads under its wing).

But on one key transportation issue, Hall and Shuster are split. Hall, speaking for the Ford Administration, is anti-trust fund. He approves the concept of user charges "where appropriate"—but he would have the monies accruing therefrom go into the general fund, with transportation needs being met from that source.

Shuster not only wants to keep the Highway Trust Fund, which President Ford plans to phase out. He also wants trust funds for railroads and mass transit, and perhaps for barges.

Railway Age recently talked with both of these men about how they feel railroad and other needs should be financed—and about the problems which have led even the most conservative Republicans (and Democrats) to come around to the thinking that some kind of Federal aid must be provided—and fast. Excerpts from the interview with Administrator Hall start on p. 18; the exchange with Congressman Shuster starts on p. 26.

RAILROAD TRUST FUND

Back home, in the Ninth District of Pennsylvania, U.S. Rep. Bud Shuster is known as a good friend of railroads—so much so that railroad workers at Altoona recently took a full page ad in a local paper to thank him for his help. In Congress, Shuster is known as a good friend of highways: he has sharply attacked the Administration's plan for busting the Highway Trust Fund. Railway Age recently discussed this seeming anomaly with Shuster, the ranking Republican on the Transportation Subcommittee of the House Public Works Committee.

RA. Rep. Shuster, why do you oppose the Ford Administration's plan for restructuring—"busting," if you will—the Highway Trust Fund? As I understand it, part of the rationale is that this would free for other transportation purposes monies now dedicated to the building of highways and more highways. . .

SHUSTER. No. That is a widespread assumption. However, there is absolutely not one sentence, not one word, in the Administration's proposal which would redirect Trust Fund money to other modes of transportation. Rather, the Administration's proposal is that three of the four cents of the Federal gasoline tax be diverted from the Highway Trust Fund and put into the general revenues. Not one penny is allocated to any other form of transportation. Now if one wants to conjecture, I suppose that the money could go into other forms of transportation, or it could go into foreign aid, or defense or whatever one would like to fight for. There is absolutely nothing in the Administration's proposal which indicates that part of those funds will go to other forms of transportation.

RA. Yet, the impression was left that this diverted money would be earmarked for other modes. . .

SHUSTER. That is not the case. The Administration's proposal is that the three cents would go out of the Highway Trust Fund and into the general treasury. It would not be earmarked in any fashion. To simplify it, I say three cents. Actually, that third cent would go into the Federal general treasury unless the states enacted a one-cent gasoline tax which could go into the state general treasury. But still there's nothing at all which says that one cent would have to go for transportation purposes. What it *boils* down to is three cents in general treasuries.

RA. Then you want to keep the Highway Trust Fund as it is?

SHUSTER. Not as it is. In fact, I agree with the principle put forward by the Administration that there are too many categories in the Highway Trust Fund. There's something like 34 pockets into which Trust Fund money goes—so much for bridges, so much for high-hazard areas, so much for urban and rural areas. That could be reduced down to maybe six or 10 categories.

Furthermore, I am quite prepared and anxious to expand our horizon in the Congress, to look not simply at highways or mass transit or barges or railroads or airplanes, but to look at a more integrated transportation system. My objection is that we should not destroy the one single most successful transportation funding mechanism we have in America—the Highway Trust Fund—and the fairest, too, I might add, embracing the principle that he who uses pays for it. Instead of destroying that one successful mechanism, and pouring the money down the bottomless rathole of government spending, we should keep the Trust Fund and we should expand it to include either other trust funds or one trust fund with categories within the trust fund. What we need is the trust fund concept applied to mass transit and to railroads and to waterways.

RA. Would you personally prefer a single trust fund?

SHUSTER. It's semantic. It doesn't make any difference so long as you carefully define and allocate the portions—it doesn't matter if you have four different pies structured at certain sizes to go to four different transportation modes, or whether you have one pie and certain slices structured to go to the various modes.

I think it is quite important that there be definition as to where the money comes from and where the money goes, rather than one big pot that the Congress gives to the Secretary of Transportation and hopes that he somehow allocates it in accordance with the national priorities.

RA. The Highway Trust Fund monies come, of course, from the highway users. That would not always be possible in the case of other modes, would it?

SHUSTER. The mass transit part of it would be quite difficult, I will quickly say. But I am unwilling—and maybe this is just because the equity philosophy dies hard with

me—I am unwilling to say it is totally impossible over the long run.

As to the railroad trust fund, Governor Shapp for example has proposed a 5% surtax on freight. Now that is a very onerous burden to lay on the railroads. I think it would just never work. It would not work because what they're saying is we're going to increase the cost of one mode of transportation by 5%, and this simply would tend to make the railroads less competitive than they are today. So I think that idea as proposed is a very bad one.

However, back off and look at this question in terms of what I like to call parity. The key, the trick, is to achieve parity among the various modes. And you do not hurt the railroads, if you put a 5%, or whatever the percentage might be, surcharge on all freight hauled by the railroads if you put the same surcharge on trucks and barges at the same time. To me, that's one of the keys to raising the necessary funds to revitalize America's railroads as well as to provide the increased funding that's necessary for other modes of transportation. I argue that contrary to the proposal to destroy the Highway Trust Fund, the cold hard evidence indicates that we need increased funding for America's highways, for America's mass transit and certainly for America's railroads.

RA. But as you said, this mechanism obviously wouldn't work for mass transit. . .

SHUSTER. In the short run, the money couldn't come from mass transit. If one puts a tax on mass transit there's the great argument that you drive the riders away. That's very true. But again if you look at parity, and if you put a parking tax in metropolitan areas to keep parity there between automobiles and mass transit, then you do not drive people away from mass transit. Selling this idea I think would be enormously difficult, and yet as I say I die hard at eliminating the concept of the user paying. It's the fairest form of tax there is. . . .

Now if there is a surtax on trucks, I could see a portion of that—and I know the truckers would scream like pigs—but I could see a portion of that going to highways and a portion of that going to mass transit.

RA. Some Highway Trust Fund money is, of course, already available for mass transit use. . . .

SHUSTER. Yes. The Highway Trust Fund is really a misnomer today. It's the Surface Transportation Trust Fund. All of the money in the urban system part of the Highway Trust Fund, which is about $900 million a year, now under the law can be spent in urban areas on either highways or mass transit. So under the Trust Fund there is a substantial amount, hundreds of millions of dollars, made available for that.

RA. One proposal in Congress would impose a tax on all freight users of diesel fuel, including of course the trucks, to create a railroad trust fund. Do you see any logic in that?

SHUSTER. It's really similar to what I have just mentioned I think. I think it would be more palatable to the truckers to let the railroad tax go to the railroads and let some of the truck tax go to mass transit.

RA. Your constituency is in a great railroad area of Pennsylvania, around Altoona. In fact, the railroad workers out there recently took a full page newspaper ad to commend you publicly for what you had done for them and for the Penn Central. You are therefore familiar with our railroad problems. . .

SHUSTER. Very familiar. In fact, it's sort of interesting that while I serve on the Public Works Surface Transportation Subcommittee which has responsibility for all forms of surface transportation except railroads, my first love is clearly the railroads. The fact is that the Congressional Reorganization Act of last year, which created the new Surface Transportation Committee which I am on and which now has everything except railroads, originally went to Congress with the recommendation that the new committee also include railroads. It was only, I understand, in order to get enough votes to pass the whole Congressional Reorganization Act, which included 20 different committees, that an agreement was struck with Harley Staggers of Interstate and Foreign Commerce to let him keep railroads. I think almost nobody around here believes that railroads will stay there forever. So I look forward to the day when my first love will join my other loves.

RA. Talk about a railroad trust fund has been revised due mainly to railroad troubles in the Northeast and Midwest. As the representative of an area very importantly involved, what do you think of the Final System Plan for restructuring the Penn Central and the other bankrupts, and for funding the new railroad, ConRail?

SHUSTER. I think that the USRA approach is a lousy approach. It's like Abraham Lincoln speaking of democracy: It's the worst form of government ever devised by man, but man has never devised a better one. So, while my view of the USRA approach is that it is lousy, it happens to be the only game in town. It is the least bad approach that I have seen yet. I therefore vigorously support it.

It's very instructive to me to watch my own educational process over the months and then watch the educational processes of others who just by the nature of things didn't become familiar with the situation as early as some of us did. When I first saw the USRA plan my reaction was, it's a lousy plan and there's got to be a better alternative—controlled liquidation, for example. After poring through the Preliminary System Plan, and trying to find alternatives, I really couldn't have come up with anything better. So I became a kicking, reluctant advocate.

RA. Do you think this plan will get through Congress?

SHUSTER. Yes. I think Congress will go through the same evolution as I have and others closer to it have. A typical member, who has not been on a committee or had a particular interest in railroads, will begin to look at the committee report when it comes out finally and say, this is a terrible plan; he will beat his breast and figure out how he's going to oppose it. And then as he studies it and studies it and looks at it, and looks at the alternatives, and the lack of real alternatives, and looks at the time factor—which is so vital—I think he will come around.

RA. Aren't Congressmen from the West, for example, apt to say, "The Northeast isn't our problem, why should we pay to bail them out?"

SHUSTER. The answer to that is that our railroad system is a national railroad system. If people in the West, the Midwest, the South look where their freight flows to and from, they will see that we are not a nation made up of regions that are self-contained, but rather a nation whose commerce flows nation-wide.

RA. Do you think the time will arrive when we are going to have either totally nationalized railways or permanently-subsidized railways?

SHUSTER. It's possible. I certainly hope that time doesn't come. I see the USRA/ConRail approach as the last hope against that eventuality. If ConRail does not succeed, we're going to have nationalization.

RA. The Administration says it will go along with the Final System Plan and the additional funding required only if it gets at the same time some rather fundamental and wideranging deregulation reforms. Is this a reasonable approach in your view?

SHUSTER. I suppose it's blackmail of a sort. I'd like to see some fundamental changes as far as regulation is concerned. But I think the two should stand on their own merits; I don't particularly like seeing the two tied together.

THE UNITED STATES IS BEHIND OTHER NATIONS IN ENERGY CONSERVATION

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. BROWN of California. Mr. Speaker, I was somewhat surprised to discover in a news article from the October 1 edition of the Washington Star that the United States, which has been preaching energy independence, is ranked near the bottom of the Western nations in its efforts to conserve energy. I know that we have not been doing as much as we should or could in the area of energy conservation, but I did not think we were so backward that we are ranked 14th out of 18 nations in the International Energy Agency.

Mr. Speaker, this is inexcusable, and while I have leveled many criticisms at the administration for its failure to adopt effective energy conservation policies, I must, in all honesty, charge the Congress with some responsibility for its failure to adopt any mandatory energy conservation measures, even while it criticizes the administration's short-sighted energy policies, making it a legitimate target of criticism.

I do not want to belabor the areas in which we can save energy. This was done in detail on July 14 during a Special Order on Energy Conservation that I organized. If anyone is interested in specific energy conservation strategies, I would call their attention to pages 22635 to 22653 in the CONGRESSIONAL RECORD.

At this time I insert in the CONGRESSIONAL RECORD the article from the Washington Star:

U.S. RANKS NEAR BOTTOM IN ENERGY-SAVING EFFORTS

(By Roberta Hornig)

The United States ranks near the bottom of a list of oil-consuming nations' energy conservation efforts since the 1973 Arab oil embargo, the 18-nation International Energy Agency says.

Ironically, the agency is the brainchild of Secretary of State Henry A. Kissinger, who conceived it as a consumer solidarity "energy action group" to counter economic pressure from the oil-producing nations' cartel.

Further, Kissinger's philosophy, stated several times, is that the agency's success depends upon the United States leading the way in reducing worldwide demand for oil.

The United States' poor report card is contained in the first review of conservation programs by member nations between the time of the oil embargo, imposed in the wake of the 1973 Arab-Israeli war, and last June 30.

This review, some of it marked "secret" and other parts "confidential," is circulating among several government agencies, including the State and Treasury Departments. It also is being reviewed at the IEA's headquarters in Paris for a presentation at a meeting scheduled later this month.

Summing up its opinion of U.S. conserva-

tion efforts to date, the IEA says: "The American program must overcome an extremely high per capita historical energy consumption pattern and as such must be comprehensive and strong to be effective. At the present time, it is neither."

Current U.S. efforts, the agency review group complains, "depend almost entirely on voluntary programs, research and development and public education."

The final, public version of the report is expected to avoid an explicit ranking of the IEA member nations' conservation performance. But the draft review in circulation lists countries in the order that the agency believes their conservation programs have been successful.

The United States ranks fourth from last, just above Belgium, Norway and Austria. At the top of the list for best performance are the United Kingdom and Sweden.

Specifically, here is what the report has to say about the programs initiated by the IEA members:

United Kingdom—"Clearly . . . has one of the most comprehensive conservation programs . . . at the present time." The British have reversed their price control policy, have introduced a 25 percent gasoline tax and have revised electricity prices to bear more heavily on larger consumers.

In its analysis of U.S. performance so far, the IEA says the best program is President Ford's $2-per-barrel tariff on imported oil "which has the effect of raising all petroleum prices by 20 percent."

The IEA analysis says that the executive branch "has proposed a fairly comprehensive conservation program" but that it has not yet been passed by Congress.

It goes on to list major deficiencies in the "current U.S. situation" which, the analysis says, include almost no taxes on gasoline or other energy products to curb use, no incentives or standards to reduce auto miles traveled and electricity rates that are lower for consumers which use more power, such as industries.

In general the analysis favors the White House program and blames Congress for inaction.

The review committee, made up of members from each of the IEA countries, apparently follows the Kissinger—and the White House—theme that higher prices are the best way to go to curb consumption.

While staying away from specific recommendations for conservation, it recommends for "serious consideration" several measures for strengthening national conservation programs.

The most dramatic of its proposals is to increase taxes "significantly" on "certain fuels" to encourage conservation. But it recommended measures such as gasoline taxes, which Ford explicitly has ruled out.

Other measures recommended range from pricing energy at "competitive market levels" to enforcing speed limits to changing the rate structure of electricity so that higher costs are borne by business and industrial users.

Sweden—". . . a very comprehensive and potentially effective program" has been adopted. The new program includes a goal of reducing energy growth from its historic 4 to 5 percent a year level to 2 percent until 1985 and to zero growth from 1980 onward. Sweden also has imposed new taxes on electricity and gasoline, raising prices by 10 and 5 percent.

Denmark—A new program is being developed which will give the country "an even stronger program than now exists." The review particularly lauds a provision involving conservation in heating buildings, where 50 percent of the country's energy is used. Already in effect are a heating consultative service for homeowners, funds for insulating homes, doubled electricity rates for most consumers and the banning of autos in some city centers.

Italy—Its conservation program is not finished, but measures already implemented "make it a very noteworthy program." The report cites a 50 percent increase in gasoline taxes, and changes in the electricity rate structure.

Ireland—". . . fairly strong . . . although . . . not as comprehensive as that of several countries discussed above." The report cities gasoline tax increase resulting in a price rise of 30 percent and new building codes to require better insulation of buildings.

Turkey—". . . almost impossible to evaluate or compare with other countries because of the low energy intensity of its economy." The IEA report says that as Turkey's economy grows energy consumption will have to grow as well. But it praises the country for a program that includes major energy taxes, reduced street lighting, rearrangement of working hours to avoid peak times and make maximum use of daylight, higher auto sales taxes, programs to substitute coal for oil, and mandatory reduced heating levels for all residential and public buildings.

Germany—The German program "could be substantially strengthened" but that its oil consumption declined by 10 percent in 1974 over the previous year, more than any country of similar size and industrial intensity, the draft report says. It says Germany's program includes a significant conservation budget, a fuel oil tax and an auto excise tax geared to engine sizes.

Spain—The report mentions "impressive goals" of reducing dependency on foreign oil from 79 percent to 44 percent by 1985. The most dramatic provision of its program is rationing of home fuel oil to 80 percent of 1973 levels.

Japan—". . . extremely difficult to evaluate." In some areas, the review says, Japan is heavily dependent on voluntary appeals. But its program does include energy efficiency goals to be set by industry, development loan for energy conservation improvements and a change in the electricity rate structure to charge less to smaller users.

Canada—". . . faced with the challenge of reversing the adverse trend of a very high and increasing level of consumption . . ." The Canadian program so far, the review panel says, will do little to reverse this trend. The program, however, includes mandatory appliance labeling, high insulation standards for residential construction and expanded public education.

New Zealand—The country has "introduced several excellent conservation initiatives, but improvements . . . are possible." The program includes a gasoline tax increasing prices by 25 percent, and taxes aimed at energy-using recreation, such as non-commercial flying and private boating.

Switzerland—"No comprehensive energy conservation program as yet . . ." The IEA draft says Switzerland's most effective measure so far is increased prices, particularly by raising gasoline and diesel fuel prices by roughly 10 percent, and new speed limits.

Netherlands—In the process of passing a program through Parliament. The draft report says "it does not appear that it will be one of the IEA's most comprehensive programs." It says the program does include major government subsidies for encouraging insulation in existing buildings and a public campaign to conserve in all other areas.

For Belgium, Norway and Austria, the three nations ranked below the United States, the review committee says, in effect, that conservation could be improved considerably. Luxembourg, the 18th IEA member, was not included in the list.

MULTIPLE SCLEROSIS CANNOT DIM HIS SPIRIT

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. VANIK. Mr. Speaker, a rather extraordinary man by the name of Ralph Keating, a constituent of the 22d Congressional District of Ohio, which I am pleased to represent, has been the subject of a recent very well-deserved article in the Catholic Universe Bulletin of Cleveland.

I have known Mr. Keating for many, many years. He is a person of extraordinary strength, character, and talent. Having suffered for many years as a result of multiple sclerosis, he has nevertheless been active in a vibrant part of our community.

For 38 years Ralph Keating worked for the Western Union Telegraph Co. and was a member of the NBC orchestra for a long period of time.

We are all so fortunate to have Ralph Keating among us, so active and such a fine example for everyone in and out of public service.

Our whole community wishes Ralph Keating a long and continued active and productive life.

An article from the Catholic Universe Bulletin of September 19, 1975, about Mr. Keating is as follows:

[From the Catholic Bulletin, Sept. 19, 1975]

MULTIPLE SCLEROSIS CAN'T DIM HIS SPIRIT

(By Diane Steele)

Multiple sclerosis has kept the body of Ralph Keating confined pretty tightly to a wheelchair these past 19 years. But his spirit—now that's a different matter.

Daily, on the telephone or through the power of a postage stamp, he moves out to acquaintances and many strangers in need.

Where there is loneliness, he puts friendship.

Where there is sorrow, he puts love.

Where there is a financial need, he sends assistance.

Where there is frustration, he sends confidence.

Where there is no hope, he supplies it.

Where there is hunger, he finds food.

Keating lives at 13654 Fairhill Rd., Shaker Hts., with his wife, Emma, and full-time male nurse, Jimmy.

From his wheelchair, Keating makes it his job to write cards daily to 16 to 20 people whose physical condition is worse than his. He also uses the telephone quite frequently to call others and cheer them up.

He is active in Catholic organizations and functions. He was a St. Patrick Hibernian member 25 years and the first wheelchair Holy Name Society president at Our Lady of Peace Parish in 1960.

Keating is an "Eating Out" enthusiast. He follows the U-B listing of parishes sponsoring dinners weekly. Most every week, he's out attending one or another. His favorites are spaghetti dinners at Our Lady of Lourdes Shrine and chicken dinners at St. Helen, Newbury, Notre Dame Educational Center, and St. Edward, Parkman.

More people should support their parish by attending these functions, he said.

Keating regularly sends limited financial aid to priests and nuns, shrines, Catholic Charities, and Parmadale Children's Home.

Is he a money tree? No, said Keating, "I

just have a big heart and an overload of money from my VA claim (his MS stems from a World War II related injury). I can't take it with me, so I try to help out those who need it most."

Whom does he help? Friends of friends, someone he reads about in the newspaper, a referral from a parish priest.

One family he helped with food and money. The father of 10 children was locked out of his job because of a strike. The family had just bought a new home. Keating told them how to get food stamps and unemployment benefits. They were unaware they were entitled to either.

One day Keating called up a local grocery store and had the clerk pack $25 worth of groceries for a proud family who desperately needed nourishment.

Events like this happen every day. Someone needs help. Someone mysteriously or anonymously gets it.

Keating gets many of his contacts from his 38-year career with Western Union Telegraph Co., from the friends of the N.B.C. Orchestra he started in the 1920's, from his political ties as Democratic precinct committeeman in Shaker Heights, and from his strong ties with the Church.

How does a man persevere in a wheelchair? Keating is not filled with a "Pollyanna" attitude, but he does "thank God everyday for being alive" and feels himself fortunate enough to have the energy to help others live happy lives, too.

His theory is to let other incapacitated people know that being confined to a wheelchair is not the end of life—"it is the start of a fuller life."

For his public service achievements, County Commissioners Hugh Corrigan, Seth Taft, and Frank Pokorny presented Keating with a plaque in mid-August.

And Don Campbell, past president of Blood Brothers and Sisters of America, Inc., an organization Keating started to aid hemophiliacs, calls him a "man of indomitable spirit."

It's no wonder.

THE LOWLY POTATO

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. SYMMS. Mr. Speaker, as the House moves closer to considering consumer protection legislation which will impose further Government regulations upon business, I am mindful of a letter from my constituent, C. L. "Butch" Otter. The letter tells the tale of the lowly Idaho potato and all the burdensome controls and taxes it must bear before leaving the State to appear on our dinner plates. For the benefit of my colleagues, the letter is printed below:

J. R. SIMPLOT COMPANY,
Caldwell, Idaho, September 15, 1975.

Representative STEVE SYMMS,
Room 1410
Longworth Building,
Washington, D.C.

DEAR STEVE: Once again the Federal Government in its obsession with economic regulations is seeking to inundate what few virtues there are left in the practice of free enterprise agriculture. I am speaking, of course, of the misguided legislative purpose of S200 and HR7575.

Any experienced participant in the agricultural community knows that if he over fertilizes the ground from which he hopes to harvest a crop, there most likely will be a resulting sterilization of the ground and subsequently no crop. Government would do well to learn from this example—if it over regulates, the results are more than an even chance the motivation to produce will also be sterilized. Opinion: Government should place into permanent storage (preferably scrap) its regulation (fertilizer) spreaders.

The agricultural community today must produce at full capacity, in order to afford those escalating costs on the items it produces. Bigger and more expensive government, resulting in higher costing equipment, land, fertilizers, chemicals, water and labor, has made survival in the agricultural pursuit an extremely remote possibility.

As a potato farmer, I have noted with interest the amount of costly controls, taxes and regulations that even the lowly potato must try to endure: Land—taxed by federal, local and state units of government and the use of land controlled by all three. Water—taxed and controlled by all three units of government. Equipment—manufacturers of farming equipment controlled by all three units of government including the agencies of OSHA, OEO, etc. Taxed by the federal and state governments. Labor—taxed by all units of government. Controlled by state and federal governments. Seed (potato)—regulated by USDA, FDA, EPA, taxed by federal and state governments. Fertilizers—taxed by all units of government and controlled by the federal agencies of USDA, EPA, OSHA, FDA and others. Controlled also by the State Departments of Agriculture, State Health and Welfare Department, State Environmental Agency. Chemicals—taxed by all units of government. Controlled by the federal agencies of USDA, EPA, OSHA, FDA and others. State control under the Department of Agriculture, State Health and Welfare Department and State Environmental Control Department. Transportation—(to market)—taxed by state, local and federal units of government. Controlled under the federal government by fuel allocations, EPA, OSHA and others. State controlled by Highway Department, EPA and others. Marketing—(fresh market)—taxed by all three units of government. Controlled by the federal agencies of USDA, OSHA, FDA, FTC and others. On the state level controlled by the Department of Agriculture, Health and Welfare Department, Potato Commission and others.

Processing—taxed by all three units of government. Local including taxing authorities of school, fire, police protection, cemetery, city government, recreation, and Potato Commission. Controlled under the federal agencies of OSHA, EPA, USDA, FDA, OEO, Department of Labor, Price Control Board, Immigration Service and many others. State control under the agencies of EPA, Department of Health, Department of Agriculture, Department of Labor, Department of Public Utilities, Department of Special Services, State Insurance of Law Enforcement, State Department of Education, State Department of Employment, Industrial Commission, State Tax Commission and State Potato Commission.

It is frustrating to note that before the potato leaves the state for final consumption, some 48 taxes and 72 controls have already stamped their brand or taken their share of the potato.

The point I hope is made: The agricultural community is already 48 times over-taxed and 72 times over-regulated just on the potato. These are definite symptoms of advancing sterilization. The economic law of diminishing returns is already hopelessly strained and only relaxation of regulations and taxes will promote recovery and thus a lower cost to the consumer whether we are to consider the world market or simply the domestic market.

Another layer of controls and regulations via S200/HR7575 will only stop what little motion is left.

I appreciate your help.

Regards,

C. L. "BUTCH" OTTER,
Vice President.

ASSISTANT TREASURY SECRETARY SIDNEY L. JONES WARNS AGAINST UNSOUND ECONOMIC POLICIES

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. KEMP. Mr. Speaker, the Assistant Secretary of the Treasury for Economic Policy, Dr. Sidney L. Jones, has made two very important addresses in recent weeks on the dangers of our repeating those unsound economic policies which brought about the inflation and subsequent recession as we continue our present economic recovery.

As Secretary Jones points out, the principal danger now is to so overly concentrate on existing problems and uncertainties that we adopt short-range economic policies which will actually make matters worse months down the road. We must, in fostering a recovery, make sure that we do not sow the seeds of an even worse inflation and recession. As a specialist in economic policy planning, his remarks should be given great weight by the Congress, especially as to tax and expenditure policies.

His remarks before the Luncheon Club in Buffalo and before the annual meeting of the American Accounting Association are as follows:

ECONOMIC POLICY AT THE TURNING POINT

(Statement of Sidney L. Jones, Assistant Secretary of the Treasury for Economic Policy before the annual meeting of the American Accounting Association, Tucson, Ariz., Aug. 19, 1975)

The famous author George Santayana once wrote: "Those who cannot remember the past are condemned to repeat it." Analysis indicates that each repetition requires a higher price to be paid. While public attention is focused on current developments, as the economy moves from severe recession into moderate recovery, the major challenge is to plan beyond existing problems and uncertainties. Economic policies at this turning point must concentrate on the persistent problems of inflation, excessive unemployment, low productivity, capital formation, energy resource development and conservation and international economic instability.

Thirty years ago the Employment Act of 1946 declared the objective of national economic policy to be: "To promote maximum employment, production, and purchasing power" through actions consistent with "other essential considerations of national policy" in ways "calculated to foster and promote free competitive enterprise and the general welfare . . ." Within this general framework specific fiscal and monetary policies have achieved mixed economic and social results with occasional recessions to remind us that economic growth is not guaranteed.

The United States has generally experienced rising output, expanding personal consumption, relatively low levels of inflation and growing employment opportunities. At the same time, the dominant influence of

rising expectations has created a confrontation between two basic economic truths: (1) the list of claims against the national output of goods and services is literally endless; and (2) human, material and capital resources are limited even in the advanced U.S. economy. This obvious contradiction requires a more careful ranking of claim priorities and effective management of economic policies. In particular, we need more stable fiscal and monetary programs which do not overreact to fluctuating economic developments. Over the past decade recession and expansion trends have too often been exaggerated by frequent fine-tuning policy adjustments. It is not so much a problem of deciding what to do as it is one of sustaining basic policies long enough to encourage stable growth and longer-term planning.

I. CURRENT ECONOMIC OUTLOOK

Current policy decisions must begin with an understanding of the background and current status of the economy. During the mid-1960's the simultaneous escalation of public spending for the Vietnam War and various social programs combined with a capital investment boom in the private sector to overheat the economy and create accelerating inflation pressures. That rapid expansion was followed by a relatively mild recession and gradual improvement in reducing inflation. Then a sharp economic recovery from 1971 through 1973 resulted in an annual rate of increase in the "real" GNP of 5.5 percent which was well above the long-term capacity of the U.S. economy to expand real output approximately 4 percent each year. During that same three-year period the average annual increase in the GNP price deflator was 4.7 percent and unemployment declined from 6 percent to 4.6 percent by October 1973 as 7.2 million additional people were employed. The trade deficits of 1971 and 1972 were reversed and a small surplus was reported in 1973. In general, the performance of the U.S. economy was impressive throughout that period but the pace of expansion could not be sustained. The housing and automobile industries began to falter as inflation surged upward early in 1973. Raw material and productive capacity shortages also restricted growth. Finally, the oil embargo declared against the United States in October 1973 disrupted economic activity and created great uncertainties.

In the first quarter of 1974 real output declined sharply at a 7.0 percent seasonally adjusted annual rate. The economy then stabilized temporarily in mid-year before rapidly deteriorating into a severe recession in the fall as residential construction, automobile sales, business investment, and consumer spending all declined. During the last three months of 1974 real output fell at a 9.0 percent seasonally adjusted annual rate and it became clear that economic policies had to focus on reversing the sharp deterioration in output and final sales without abandoning the necessary effort to control the double-digit inflation which had been largely responsible for the serious erosion of home building, consumer spending and business investment.

By yearend 1974 some analysts believed that the sharp deterioration in economic activity would continue leading to a worldwide depression comparable to the traumatic experiences of the 1930's. Others argued that economic recovery would begin long before such catastrophic developments occurred. The Administration based its policy recommendations on analysis that a turning point would occur about mid-year if three fundamental adjustments could be accomplished: (1) the unwanted accumulation of inventories could be cleared out and new orders increased; (2) "real incomes" of consumers could be restored by significantly reducing the level of inflation and initiating tax reductions and rebates; and (3) the "lay-off rate"—the number of workers losing their jobs—could be reduced so that unemployment would stop rising so rapidly and consumer confidence could be strengthened.

During the first quarter of 1975 real output of goods and services continued to decline at a seasonally adjusted annual rate of 11.4 percent but economic conditions were already beginning to shift. During those first three months of 1975 personal consumption, net exports of goods and services and government spending at all levels reported strong gains. Most of the economic weakness was concentrated in the private investment sector where residential construction and business spending declined and a massive turnaround in inventories occurred. During the last three months of 1974 unwanted inventories were accumulated at a seasonally adjusted annual rate of $18 billion. In the first quarter of 1975 the situation was reversed as inventories were liquidated at an adjusted annual rate of $19 billion. Since final sales were basically flat, the severe drop in total output reported during the first three months of this year was a direct result of the large swing in inventories which was a necessary prerequisite for future recovery.

As the spring progressed other signals that an economic adjustment was occurring became evident. The current rate of consumer price increases dropped from the double-digit level of 1974 to a 6 to 7 percent zone and the Tax Reduction Act of 1975 was finally passed in March. As a result, real disposable personal income (stated in constant dollars) increased at a seasonally adjusted annual rate of 21.5 percent during the second quarter of 1975 following five consecutive quarterly declines. This improvement was reflected in strong retail sales. The "lay-off" rate declined steadily throughout the first half of 1975, employment began rising again in April and the average number of hours worked and the amount of overtime increased. As the inventory liquidation cleaned out unwanted stocks new orders turned up in April and industrial production bottomed out early in the summer. Exports continued at a strong pace throughout this period and rising government spending provided anticipated stimulus. The downward slide in new home and automobile sales finally stabilized and modest gains occurred in both sectors by late spring.

Publication of preliminary GNP figures for the second quarter indicates that the sharp decline in real output has ended and that the U.S. economy has entered into the expected recovery period. The level of real economic activity (adjusted to remove the effects of price changes) was basically stable—down only 0.3 percent at a seasonally adjusted annual rate—according to the preliminary estimates which will be revised Thursday. This turnaround represents a major improvement following five consecutive quarterly declines in the real GNP.

While it is gratifying that the turning point was reached sooner than expected and the pace of recovery is somewhat stronger than anticipated, this shift in direction does not mean that everything is now fine. To the contrary, a turning point at the bottom of a cycle represents the worst combination of economic conditions experienced during a recession. It is likely that there will be many more economic disappointments during the coming months as the moderate recovery accelerates. But it is certainly encouraging to note the upward tilt of most economic statistics, particularly: (1) the improvement in employment and the related drop in the seasonally adjusted unemployment rate from 9.2 percent in May to 8.4 percent in July; (2) the increase in retail and wholesale inventories in June in response to several months of strong sales; (3) the second consecutive monthly gain in industrial production reported for July; and (4) the strong upward trend, beginning in March, of the new composite index of twelve leading statistical indicators. These developments provide a necessary foundation for a sustained recovery into 1976 based on rising personal spending which will eventually stimulate a resumption of business investment to meet the demand for goods and services. Although the shape and speed of this recovery is still uncertain, because of the dominant role of inventory adjustments and the continuing problems in the housing and automobile sectors, moderate expansion of economic activity is now clearly underway.

II. ECONOMIC POLICIES

While there is widespread agreement that a moderate-to-strong economic recovery has begun, there is justified concern about its sustainability. The severe recession just experienced clearly demonstrated that the U.S. economy can be constrained by shortages of oil and other industrial raw materials. Consumer sentiment is still fragile and directly dependent upon future employment developments. Business capital investment must be increased if the near-term expansion is to continue and needed productive capacity and future jobs are to be created. Because the immediate pattern of business investment will be largely determined by the strength of personal consumption, it is crucial at *this* stage of the recovery that a surge of new inflation pressures be avoided. Prices are still increasing at an unsatisfactory seasonally adjusted annual rate of 6 to 7 percent. An escalation of current prices—or of inflationary expectations—during the next few months would quickly disrupt both personal and business spending plans which would, in turn, curtail both the strength and sustainability of the recovery. Therefore, current policies must guard against fiscal and monetary excesses which would disrupt the current expansion and complicate the problems of creating a more stable economy.

The fiscal dilemma of rapidly increasing government expenditures and lagging revenues continues to distort economic planning. During the past decade fiscal policies have had to adapt to the surge of spending for the Vietnam War and various social spending programs, the major impact of inflation and the sharp erosion of revenues and increased transfer payments caused by two recessions. From Fiscal Year 1966 through Fiscal Year 1975, Federal budget outlays increased from $134.6 billion to $325.1 billion (Table 1). During that decade the cumulative budget deficit totaled $148.7 billion and the "net increase" in borrowing for various "off-budget" programs excluded from the Federal budget totaled an additional $149.7 billion.

In attempting to respond to the severe recession, the President originally submitted a proposed Federal budget for Fiscal Year 1976 which called for outlays of $349.4 billion and a deficit of $51.9 billion. The mid-session review published May 30 subsequently increased the expected outlays to $358.9 billion and the deficit to $59.9 billion. In a separate action by Congress, their first concurrent Resolution on the budget published May 9 recommended outlays of $367.0 billion and a deficit of $68.8 billion. Whatever the final figures turn out to be it is obvious that another large increase in spending and a record-level budget deficit will occur.

The President also asked for a temporary cut in taxes to help stimulate the economic recovery expected by mid-year. In March the Tax Reduction Act of 1975 was finally passed which provided approximately $20 billion of net tax relief. About $17 billion of the total was allocated to individuals in the form of a rebate on 1974 taxes and temporary reductions for 1975 were provided by increasing the standard deductions, an additional $10 exemption credit, a 5 percent housing

credit and an earned income credit for eligible low-income families. Business tax relief was provided by increasing the investment tax credit to 10 percent and by raising the surtax exemption for small firms. At the same time, the depletion allowance for oil and natural gas was phased out and limitations added in the use of foreign tax credits associated with foreign oil and gas operations. During the next few months important decisions about possible extension of parts of the 1975 tax cuts must be made as the pattern of economic recovery becomes clearer.

The rapid growth of Federal spending during the past decade has increasingly eroded our fiscal flexibility. Many government programs involve an "entitlement authority" which makes the actual outlays open-ended depending upon the eligibility rules and benefit levels established. There has been a tendency to liberalize both guidelines and benefits for Federal retirement, social security and other income maintenance programs are now indexed so that they rise automatically as inflation occurs. Other outlays are required by specific legislation and contractual agreements. As a result, the Federal budget is increasingly committed to the priorities of the past which makes it difficult to respond to current problems and future claims. Approximately three-fourths of the Federal budget is now considered to be "uncontrollable" because of existing entitlements and contractual obligations. In theory, there is no such thing as an "uncontrollable" budget commitment since Congress controls the annual appropriations process. In reality, existing programs are rarely eliminated or reduced and new claims are typicaly "added on" to current outlays. The near-term prospects are for continued increases in outlays and more Federal budget deficits. This trend can either be modified by Congressional action or resources can be transferred from the private sector which would mean a further increase in the role of government in the economy.

A second important problem concerns the proper role of the Federal budget. In preparing the budget plan government officials are actually allocating the human and material resources available and determining the division of responsibilities between the public and private sectors. This is clearly a proper function. However, since the 1930's the Federal budget has been used more and more as a tool for economic stabilization. Increased outlays and resultant deficits are defended by claiming that Federal spending is required to replace private demand during periods of slack.

The size of the Federal budget is then manipulated to meet current economic stabilization goals in this system of economic management. Unfortunately the balance turns out to be asymmetrical, because deficits usually occur during periods of both strong and weak economic activity. Federal budget deficits have been recorded in fourteen out of the last fifteen fiscal years—or forty of the last forty-eight years—and more are expected according to our current five-year projections.

The overall results of using the budget for stabilization purposes are not clear because of the complexity of the total economy and the lagged impact of such policies. But one specific result does seem obvious: The creation of new spending programs during periods of economic slack typically creates a permanent sequence of outlays that continues far beyond the immediate need for stabilization.

Hopefully, increased realism in determining future fiscal policies will result from the recent creation of a Congressional Budget Office which is required to provide overall Federal budget targets for receipts and outlays for the guidance of the new Congressional budget committees. In the past, appropriations have been approved by individual committees so that it was impossible to develop a comprehensive overview of the total impact of the specific legislative actions. Under the new procedures, the two Congressional budget committees will prepare a concurrent Resolution establishing the basic budget goals and identifying their impact on the entire economy. The actions of each appropriation committee will then be combined and compared with the budget committee recommendations before preparing a second concurrent Resolution for Congress to approve. A trial run using these procedures over the past few months for coordinating spending decisions has been encouraging and a new sense of priorities and discipline may well result from this new approach.

The combination of increased government spending and tax reductions has provided extensive stimulus for the economy in moving back to a recovery pattern. Given the severity of the recession, particularly the large increase in unemployment, a sizable budget deficit during the past year was a suitable response. But such fiscal actions must be carefully controlled, even during difficult periods, to avoid more permanent erosion of our future flexibility. Fiscal responsibility is particularly important in providing a necessary balance with monetary policies. The Federal Reserve System is too often required to bear a disproportionate burden in restraining inflation pressures whenever government spending and tax policies create excessive stimulus.

Extensive criticism was directed at monetary authorities during the last few months of 1974 and early 1975 because of the very low rate of growth of the money supply at an annual rate of only 1 percent during the six months period ending January 15, 1975. Since late January the money stock has increased at a seasonally adjusted annual rate of 9.4 percent. Combining these two periods indicates that the money supply has increased about 5 percent over the past year with almost all of the growth occurring during the last few months. Given the volatile nature of short-term monetary developments, a longer-term perspective of monetary policy indicates that officials are moving toward the policy commitment of keeping the money supply growth in the 5 to 7½ percent zone while also giving careful attention to interest rates and other monetary measures. This policy goal appears to be a reasonable target when combined with the existing stimulus being provided by fiscal actions.

III. SUMMARY

Although the recovery is apparently well underway, the next few months are likely to be a turbulent period as fiscal and monetary policies will probably be under intense pressure to respond to specific inflation and unemployment developments. In such a volatile environment, those who advocate more stable economic policies will be considered naive at best and insensitive at worst. Nevertheless, there must be a longer-term perspective in determining policies if we are to ever avoid the "stop-go" results of the past. Recent events clearly demonstrate that the U.S. economy will not function properly with high single or double-digit inflation just as it cannot survive for very long with such excessive levels of unemployment. The constant shifting of policies and resulting uncertainties about the lagged impact of such actions has too often frustrated the basic goal of promoting "maximum employment, production, and purchasing power."

The beginning point in adopting more stable fiscal and monetary policies is a restoration of public confidence in the government's ability and willingness to establish longer-term economic goals. As members of the American Accounting Association you have an important education role in describing how the American economy works and in preserving the integrity of the comprehensive system of financial accounts which provides most of the information required for public and private sector economic decisions. As you fulfill this important assignment, I hope that you will also communicate to your students, business associates and the general public a greater awareness of the productivity and creativity of the U.S. economy when it is allowed to function properly.

TABLE 1.—FEDERAL BUDGETS, CHANGES IN THE UNIFIED BUDGET OUTLAYS, BY FISCAL YEAR, 1961-76

[Dollar amounts in billions]

Fiscal year over preceding year	Federal outlays	Dollar increase	Percentage increase	Surplus or deficit
1961	$97.8	$5.6	6.1	−3.4
1962	106.8	9.0	9.2	−7.1
1963	111.3	4.5	4.2	−4.8
1964	118.6	7.3	6.1	−5.9
1965	118.4	−0.2		−1.6
1966	134.7	16.3	13.8	−3.8
1967	158.3	23.6	17.5	−8.7
1968	178.8	20.5	13.0	−25.2
1969	184.5	5.7	3.2	+3.2
1970	196.6	12.1	6.6	−2.8
1971	211.4	14.8	7.5	−23.0
1972	231.9	20.5	9.7	−23.2
1973	246.5	14.6	6.3	−14.3
1974	268.4	21.9	8.8	−3.5
1975	325.1	56.7	21.1	−44.2

Source: Economic Report of the President, February 1975, table C-64, p. 324, for years 1961 through 1974; 1975 figure published in joint statement of Secretary William E. Simon and Director James T. Lynn concerning "Budget Results for Fiscal Year 1975," July 28, 1975.

Mr. Speaker, the credibility of the Secretary's assertions is greatly reinforced by an awareness of his experiences. A Ph. D. in economics from Stanford University—with doctoral subjects in such diverse fields as finance and banking, industrial management, statistics, marketing, research and development administration, public finance, economic history, economic development, history, and political geography—he has served as a counselor to the Secretary of the Treasury, as deputy assistant to and deputy counselor to the President for economic policy, Assistant Secretary of Commerce for Economic Affairs, and senior economist to the Council of Economic Advisers. He has also taught at the University of Michigan and Northwestern and has co-authored three important textbooks.

SENIOR CITIZENS

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. DOMINICK V. DANIELS. Mr. Speaker, because it appears that Congress has been getting more than its share of criticism from professional critics, it is encouraging to receive praise from time to time.

I would like to share with my colleagues a letter I received from my constituent, Mrs. Lillian Allan, expressing gratitude to Congress for its efforts on behalf of all senior citizens.

Mrs. Allan, the president of the Hudson County, N.J. Senior Citizens Council, has over the years become a spokeswoman for the senior citizens of the county and of the Nation as well. Mrs. Allan, whom I deeply admire for her tireless efforts for the Nation's elderly,

is proud to be an older American, to live a productive life, and to be a senior citizen, a title which she assumes with dignity. Older Americans are valuable and must be recognized for their contributions, past and continuing, to society. Mrs. Allan has been instrumental in this awareness.

Mrs. Allan's interest in so many worthwhile causes typifies the deep personal concern she feels for senior citizens. Her interest is not confined to the older persons of Hudson County as many of my colleagues are aware through correspondence with her. For my colleagues who do not know Mrs. Allan, I share with them her letter and her appreciation:

I'm tired of hearing the title of "Senior Citizen" put down. This title carries a story of our Bicentennial heritage. The American immigrants are proud to bear the title of "Senior Citizen." It means that they are citizens of the United States of America, and have earned their right to vote. Senior Citizens have the best voting record on Election Day. They have raised and educated their children. They are the senior members of the family which demands respect and dignity. They are also the backbone of the American family as to religion, education and respect for law and order, as parents, and grandparents.

The names "Senior Citizen" is respected all over the world, as well as the highest officials of city, county, state and federal government of America. The elderly of this generation are organized and ready for action! They read the newspapers, watch current events and government on TV. They now have the *time* to *learn* about their *rights* as citizens, residents and patients in a hospital.

We are grateful to Congress for its efforts in behalf of the Senior Citizens.

Sincerely,

LILLIAN ALLAN,
President.

ON THE DEDICATION OF MARIO BIAGGI LODGE NO. 2339 IN QUEENS, N.Y.

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. KOCH. Mr. Speaker, the New York delegation in the House of Representatives has 39 Members. We are comprised of Democrats and Republicans, liberals and conservatives. In the course of our work together on behalf of the city and State of New York we try to put aside our philosophical differences and points of view believing that cooperation is in the best interest of our city and State. MARIO BIAGGI and I differ on a whole host of issues because of our philosophical positions, yet on many occasions we vote together in support of issues that transcend liberal and conservative doctrine. And it is my privilege to announce to my colleagues that on Sunday, October 5, MARIO BIAGGI will be honored by the Sons of Italy with the formal dedication of the MARIO BIAGGI Lodge No. 2339 in Queens, N.Y. This is a fitting tribute to one of our colleagues who is a leader of the Italian-American congressional delegation. According to Philip Avelli, venerable of the lodge:

The decision to name Lodge No. 2339 the Mario Biaggi Lodge, was based upon the outstanding achievements of his illustrious career and his deep involvement on behalf of Italo-Americans. He has restored to Italo-Americans the pride and prestige that is rightfully theirs.

Congressman BIAGGI was elected to the House in 1968, following an illustrious 23-year career in the New York City Police Department. During his career, BIAGGI was the recipient of a number of key awards, including the prestigious New York Medal of Honor. He was elected to the National Police Hall of Fame, and has been lauded as one of New York City's most decorated policemen. Following his police career, BIAGGI became a member of the New York State Bar after graduating from New York Law School in 1963.

BIAGGI's election in 1968 made him the first Democrat to be elected from that area of the Bronx in 16 years. He has been returned to Congress on three additional occasions by impressive margins. Because of his police background, he has been dubbed the "Cop in Congress," and has sponsored the law enforcement officers Bill of Rights and the national law enforcement memorial.

But BIAGGI's interests are not limited to law enforcement. As a member of the House Education and Labor Committee, he has become an advocate for a number of worthwhile causes including improving the quality of life for our mentally ill. One of his legislative accomplishments came in 1973 with the passage of the Child Abuse Prevention and Treatment Act, a bill which he worked for since his early days in Congress. He is currently investigating the child care industry in this Nation, and I understand he plans to introduce legislation designed to correct some of the inherent abuses in the present system.

As a member of the newly established Select Committee on Aging MARIO BIAGGI has continued his commitment to improving the quality of life for our older Americans. He has introduced numerous bills which are intended to restore a life of dignity and economic freedom to our elderly. Another significant achievement for MARIO BIAGGI came in 1971 when an amendment he offered to the Mass Transit Act, mandating equal mass transit facilities for the elderly and handicapped became law.

MARIO BIAGGI is recognized among his colleagues as one of the best service-oriented Congressmen. He spends a great deal of his time meeting with and assisting his constituents. His staffs, in New York and Washington, work hard to meet the varied demands of the people of the 10th Congressional District in New York.

And, of course, MARIO BIAGGI is a true son of the Italo-American community and has actively worked on their behalf in Congress. He has waged a number of key battles on the House floor to rid this Nation of the scourge of discrimination, wherever it exists. He has worked to provide the millions of Italo-Americans in this Nation with a voice in the Congress.

It is my privilege to commend MARIO BIAGGI. He is surely worthy of this outstanding honor from the Sons of Italy and on behalf of many of my colleagues here in the House, I extend to him warmest congratulations.

SINAI PEACE AGREEMENT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. DERWINSKI. Mr. Speaker, sometime next week before the Columbus Day recess, the House may vote on the resolution to approve the Sinai Peace Agreement.

Unfortunately, many Members will consider this a matter of short-term political expediency. However, in my judgment, we must look at the long range picture of the tragic complications that are inherent in another major Middle East war.

David Hall, former Middle East correspondent and now editorial writer for the Chicago Daily News, discusses in his column of Saturday, September 13, the value of the U.S. role in the Middle East. I found this article to be a very logical and objective study of the situation:

WHY U.S. BELONGS IN MIDDLE EAST

(By David Hall)

Henry M. Jackson, presidential aspirant and U.S. senator, gave a speech before a largely Jewish audience the other night. He lambasted the interim settlement the United States arranged between Israel and Egypt, especially the plan to station U.S. technicians at Sinai Desert warning posts.

Then Jackson uttered the clincher:

"When the issue comes before the Congress I hope to vote to approve the substance of the agreement as it has been presented to the American people."

How's that?

Jackson is trying to play it both ways: To reflect the fears of Americans about a new and deep foreign involvement while supporting the cause of Israel and pleasing the politically powerful Jewish voting bloc.

In his train are politicians left and right, Democratic and Republican. The issue is made for fencestraddling, which politicians find so comfortable. They can bellow about being trapped by the wily Kissinger in a fait accompli. A senator or representative can say the deal is necessary for Israel's continued survival, although he would have preferred something more "long-lasting" and more "durable" than the three-year separation of armies.

Congress will hold hearings. Some tough-sounding questions will pepper Kissinger. He will answer in monotone, citing the smallness of the American personnel commitment and the hope for "a just and lasting peace."

Congress will vote, and as surely as the autumn leaves fall it will vote for the massive aid commitments (perhaps $9 billion over the next three years) and for the technicians.

In back-door fashion, Congress is going to do the right thing at the right time about the Middle East. Reluctantly, it is going to inject the United States in a greater way into an area where U.S. interests are so vital as to bear on national survival itself.

At a time when Soviet influence is waning among Arabs, the United States is establishing itself as the power through which to deal. It's a position that not only Israel, but several Arab states, prefer more than public pronouncements often indicate.

Because congressmen are afraid to face the issue, and because the Ford administration is content to leave well enough alone, the public is not being leveled with as the U.S. role grows. It is not being told that if further

steps away from war are made, and if the United States is to protect the Mediterranean sea-lanes along NATO's southern flank and access to Mideast oil, then American commitments will almost certainly expand.

Little effort is being made to show that the United States, in protecting its interests, can play the morally preferable role of peacemaker. It can protect the existence of Israel, a nation it helped form. It can press Israel, where no other nation can, to consider and respond to the legitimate interests of Syria, Jordan and Egypt in regaining occupied territory, and the unshakable Palestinian case for a national identity in the area.

There is a scenario for Mideast peace that is more ideal. It has the disputing parties, riven by decades of mistrust punctuated by war, coming together under international auspices for a final settlement.

Kissinger's tactic is based on a more realistic understanding of the deep divisions—religious, territorial, historical—that divide Arabs and Jews in Biblical Palestine.

The hostility, the suspicion, the hate will take decades to still. Along the way additional guarantees to both sides, in the form of a big-power commitment, may well have to be interposed. It is not possible to guarantee "peace," in the ethical sense, but it is possible to guarantee against aggression and war, as 30 years of commitment to western Europe and Japan. Unfortunately, those success stories are tarnished by Vietnam. That comparison continues to crop up in the developing Mideast debate, and it is not applicable at all. The correct lesson is: Don't squander U.S. power and prestige where there are no interests at stake and no ties with the overseas people involved.

Sen. Jackson and many of his colleagues pretend they must go along with Kissinger's deal because they have no choice. Perhaps not, but poorer choices could have come their way. It would be better for the American people if policymakers in the administration and in Congress would acknowledge that the Mideast role is growing, but defend more openly the need for that role in serving the national interest.

GINGER ROGERS' BICENTENNIAL GIFT PROGRAM

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. McCLORY. Mr. Speaker, the celebrated actress of stage, screen, and TV, the beloved Ginger Rogers, is in Washington today where she will be one of the honored guests at the White House banquet being tendered by the President and Mrs. Ford to Emperor Hirohito and his Empress of Japan.

During her brief visit in Washington, Ginger found time to visit with many long-time friends on Capitol Hill, and to renew acquaintances with you, Mr. Speaker, as well as such others of our colleagues as BARBER CONABLE, of New York; FLOYD SPENCE, of South Carolina; JOHN ROUSSELOT, BOB WILSON, and DON CLAUSEN of California; TIM HALL, PHIL CRANE, GEORGE O'BRIEN, ED DERWINSKI, JOHN ERLENBORN, and FRANK ANNUNZIO, of Illinois; JOHN JARMAN, of Oklahoma, SAM DEVINE, of Ohio, and others.

Mr. Speaker, Ginger Rogers is forever reflecting love and concern for her fellow countrymen. In addition to providing enjoyment and entertainment for the tens of millions who have witnessed her performances as an actress, she has blessed many other millions with her personal expressions of love, generosity, and solicitude.

Mr. Speaker, Miss Rogers has proposed a laudable program for our Nation's Bicentennial consisting of a plan of voluntary gifts which may be contributed by our citizens to the Nation in appreciation for the blessings of freedom and opportunity which we enjoy as Americans.

Mr. Speaker, Ginger Rogers' proposal is worthy of appropriate action by the Congress of the United States. It is explained succinctly and beautifully in her own words which follow:

REMARKS BY GINGER ROGERS

There is an idea regarding our Bicentennial celebration which will bless our entire Nation: There is a way in which the enormous national debt burden our Uncle Sam is bearing can be met quickly and our country freed from threat of bankruptcy which is attempting to put fear into the hearts of many of our citizens: Establish a fund which will allow every man, woman, and child of this great Nation to express love and appreciation for the blessings and unlimited opportunities its freedoms afford by sending a monetary gift to Uncle Sam for his 200th birthday.

Everyone regardless of party affiliation participating in sending "Love Currency to Uncle Sam"—this would be evidence to the rest of the world that we are truly one nation indivisible under God having assets to meet all obligations. There is an abundance of wealth in our country.

When our churches get into financial arrears we are reminded of our blessings and gladly make the necessary contributions to balance the church budget. We support willingly that which we love. It is our country which makes our freedom of worship possible and it is now urgent that we devote our best consecrated effort to balance our country's budget.

We don't want to be captured by our own greed as monkeys are sometimes captured. When rice is put through a small opening in a coconut shell and chained to a tree, a monkey will fill his paw so full of rice he cannot withdraw it, and the greedy unwise monkey loses his freedom.

Let us be wiser than the monkeys and let go of some "rice" by placing it in a very right place at the right time instead of hoarding it and allowing Uncle Sam to be harassed and burdened by such an unnecessary heavy debt and threat.

We have a choice. Uncle Sam doesn't have a choice. It is up to us.

Mr. Speaker, I am hopeful that Ginger Rogers' visit to Washington will prove both a source of enjoyment for those of us who had an opportunity to be in her company and also a means of receiving from her and implementing a most worthy program of appreciation for our Nation's Bicentennial.

THE WASHINGTON 500

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. O'HARA. Mr. Speaker, last spring when the Committee on the Budget reported House Concurrent Resolution 218 to the floor of the House, I appended some individual views to that report, indicating my concern that the functional codes which the committee and its able staff were using might become overrigid in their application to actual decisions by the Congress.

It seemed to me then that in our efforts to free ourselves from an unwarranted acceptance of OMB's terminology and initiatives, we should not easily and uncritically accept the terminology and inherent viewpoint of some other arbitrary system.

Since that resolution was agreed to by the House, we have had more than one occasion on which a system of functional analysis which should have been only that has tended to become mistaken for a universally accepted set of legally binding conclusions, with all the policy and fiscal implications that flow from that.

Recently Mr. Roy Millenson, for many years a highly respected minority staff member of the Senate Labor and Public Welfare Committee, wrote a short article for the committee on full funding entitled "The Washington 500." Mr. Millenson says what I was trying to say last April. I include Mr. Millenson's article in the RECORD:

THE WASHINGTON 500

(By Roy H. Millenson)

The Indianapolis 500 is a competitive event in May in which a group of numbered contestants go rapidly about in a circle until one is declared the winner. The Washington 500 is a competitive event, involving not autos but education funding, also kicked off in May, wherein a group of numbered participants also go about rapidly in a circle. But unlike Indianapolis, you can never quite determine who is ahead.

What happened in Washington this May? This May, Congress adopted H. Con. Res. 218, the first concurrent resolution on the budget as prescribed by PL 93-344*, the budget reform legislation enacted just last year. The report on that resolution established within the prescribed overall Federal budget levels dollar limits for 16 functional categories, bearing functional category numbers identical to those appearing in the President's budget submitted last February.** Education comes under the "500" classification, a designation which it shares as a partner with manpower and social services. So much for the status of the Washington 500.

Items in the 500 series are spread across five different appropriations measures. First, at least in our eyes, is the Education Appropriations bill (H.R. 5901) which includes such items as Elementary and Secondary Education (501), Higher Education (502) and Library Resources (503). In Interior Appropriations (H.R. 8773) we find, for instance,

* PL 93-344 bears the formal title of the "Congressional Budget and Impoundment Control Act of 1974". Titles I through IX, the portion with which we are concerned here, has its own title, the "Congressional Budget Act of 1974".

** While neither H. Con. Res. 218, the House and Senate Reports on it or the debates stipulate the period covered, the general understanding is that it is for the 12-month period, July 1, 1975 to June 30, 1976. Although the transition quarter, July 1, 1976 to September 30, 1976 is part of FY 1976, it is not covered by the budget resolution nor is there an indication that it will be covered by any future resolution. The Congressional budget watchdogs have yet to choose to establish controls over the billions to be expended during that 3-month period.

the Corporation for Public Broadcasting (503) and Arts and Humanities (503). The Labor-HEW Appropriations bill (H.R. 8069) is host to Comprehensive Manpower Assistance (504) and the National Commission on Libraries and Information Services (503), to cite two. Treasury-Post Office Appropriations (H.R. 8597) contains, among others, the Committee for Purchase from the Blind and Other Severely Handicapped (505). A search in the HUD Appropriations bill (H.R. 8070) turns up the Smithsonian (503) and HEW's Office of Consumer Affairs (506).

While education is not quite as fragmented as its parent 500 series, education items are found in four appropriation bills. Some example: In addition to the many items in the Education Appropriations bill, we find Indian Education in Interior Appropriations; the Harry S Truman Scholarship Fund and Eisenhower College Grants in Treasury-Post Office; and Office of Education: Special Statistical Compilations and Surveys in Labor-HEW.

Confused? You don't see how clear decisions under the new budget reform law can be made Bewildered by the "Washington 500"? You are not alone.

On June 30, the Comptroller General submitted to Congress a fascinating report with the ho-hum title of "Standard Terminology, Definitions, Classifications, and Codes. Interim Report". It was printed as House Document 94–211. In this report, the Comptroller General concluded that the present functional category system "makes it difficult to perform effective evaluation and analysis using this data" and that comparison of functions is difficult because they are not grouped on a consistent basis.

That there should be a change from the present budget classification structure as utilized in Congressional budget controls is not disputed. How the change should be made is, however, under question. But the House and Senate appropriations and budget committees, the Congressional Budget Office, OMB and the Treasury, the report indicates, do agree on one thing—that change should come slowly and some time after the FY 1977 budget. The term "with all deliberate speed" is not used.

Thus, we are faced with at least one additional year (FY 1977) of Congressional budget controls under the new budget reform law utilizing a classification system which is generally acknowledged as ineffective and with little meaning.

An example of how this can be confusing occurred just this year in the debates over HR 5901, the education appropriations measure, which was variously described as in the area of $700 million, $400 million and $200 million under the budget levels indicated by the Congress. Estimates for the Congressional budget limits on education are based on extrapolations and committee understandings—but not on any figure specifically adopted by the Congress or stated or implied in the conference report. While the report on H Con Res 218, the concurrent resolution on the budget, established limits for the 16 functional categories, it did not break down the figures into the 66 subfunctional categories or the 1,300 appropriation and fund accounts found in the Federal budget.

Congressional budget publications are no help. Take, for example, the "Senate Budget Scorekeeping Report", a weekly publication prepared by the Congressional Budget Office in cooperation with the Senate Budget Committee, which, in its own words, "is designed to provide the Senate with budgetary information relevant to consideration of upcoming legislative action." This report does not even mention the Education Appropriations bill (HR 5901) nor can one discern from the report whether HR 5901 is over or above the Congressional or Presidential budget levels. So much for keeping the Senate abreast of "budgetary information relevant to consideration of upcoming legislative actions."

The only firm conclusion which one can draw is that the Congressional budget procedure under the new reform law, as now practiced, is at best imprecise. And while the sun struggles to push over the horizon, the Washington 500 goes on—with the hope that the changes being readied by Congressional budget staffs will bear fruit.

MAYOR DOROTHY MELOY OF HAMBURG, N.Y.

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. KEMP. Mr. Speaker, the town of Hamburg, N.Y., has the privilege and honor of being served by the first woman mayor elected in Erie County.

On Sunday, the Buffalo Courier-Express did an article about Mayor Dorothy Meloy describing her outstanding accomplishments precisely as I have come to know them in the years I have worked with her.

I take a great deal of pride in the style and capability with which Dorothy has handled her difficult job—and I know many, many persons in Hamburg join me in wanting to bring to the attention of legislators here the fine example of Mayor Meloy of Hamburg.

At this point, Mr. Speaker, I submit the article from the Buffalo Courier-Express:

HAMBURG'S WOMAN MAYOR JUST 'DOROTHY' TO VILLAGERS

(By H. Katherine Smith)

Dorothy (Mrs. Charles L.) Meloy, mayor of Hamburg, is interested in knowing other women holders of public office. Last spring she met in Hamburg and was photographed with mayor Donna Rodden of Albion. Mayor Meloy is the first woman mayor elected in Erie County.

Asked whether she prefers to be addressed as "Your Honor," "Mayor" or "Mayoress," she replied: "I prefer to be called Dorothy. Most residents of Hamburg know me well enough for that."

The Meloys moved to Hamburg 12 years ago, when Mr. Meloy, an engineer of Bethlehem Steel Corp., was transferred from the Bethlehem Pa. plant to the Lackawanna plant. Before her election to the mayoralty, Mrs. Dorothy Meloy served on the Village Planning Committee Trustees of Hamburg.

She completed her six-year term as trustee last April, just as the previous mayor's term of office expired. Elections to office in Hamburg are nonpartisan. Dorothy Meloy was, therefore, able to enlist support of both registered Republicans and registered Democrats.

She has increased the village police force from 20 to 22 officers and appointed Hamburg's first woman police clerk. Recently, Hamburg voters and their mayor approved a $2 million sewer bond which will cost $60 for every house in the village. The $2 million covers the village's share of the cost of the County South Towns Sewage Treatment Plant.

Mayor Meloy is proud of the village's water treatment plant and of the fact that no water bans have restricted Hamburg residents during the last six years. Throughout the village water is metered. She also takes pride in the new, centrally located senior citizens' housing project.

Dorothy Meloy is legislative chairman of the Erie County Village Officials' Assn. With intense interest, she observes the interaction of her village's government with the state and federal governments. She keeps in close touch with Rep. Jack Kemp.

Every August, Dorothy Meloy attends the Erie County Fair several times. She deems it educational and commends its recognition of a wide range of local talents through its awards.

In her opinion, the Buffalo Raceway gives Hamburg national publicity.

In Augusta, Me.; Bethlehem, Pa. and other cities where she and her husband have lived, Dorothy Meloy was active in the work of the United Presbyterian Church. In Bethlehem, she was secretary of her church's Board of Deacons. In Hamburg, she continues membership in the United Presbyterian Church and its women's association.

The Meloys have a son, Charles L. Jr., a chemist of North Carolina, and a daughter, Ada, a lawyer practicing in New York City. Ada cast her first vote for her mother's election to the Hamburg Board of Trustees.

From her home, a short distance from the Village Hall, Dorothy Meloy walks to work daily. This provides an opportunity to greet and chat with many village residents. Occasionally, she and her husband play golf at the Bethlehem Steel Managers' Club.

Before she was elected to public office, Hamburg's mayor made most of the clothes she wore, including tailored cloth suits and coats. She has traveled throughout this country and in Europe. Since her election as mayor, she is in demand as a public speaker before women's clubs and organizations.

Dorothy Meloy was not impelled by the profit motive to seek public office. Her salary as Hamburg's mayor is $3,600 a year. Interested in good government at all levels, she is glad to have a part in it.

Her affiliations include the Hamburg chapters of the Quota Club and the Business and Professional Women's Club.

DO THE RICH GET FOOD STAMPS?

HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. RICHMOND. Mr. Speaker, yesterday I submitted the first of three articles about the food stamp program. The articles attempt to correct a good deal of misinformation which has been circulating about the program. Attacks on the program, based on misleading advertisements in the media and inaccurate news stories, have been made by many Members of Congress as well as high-ranking officials in the Ford administration. While it is hard to correct the damage done by a full-page advertisement or an eight-column banner headline, I hope these articles will be read by my colleagues so that any debate on the food stamp program proceeds with the facts and with reason.

These food stamp articles have been prepared by staff of the Food Research and Action Center—FRAC:

ARE HIGH-INCOME HOUSEHOLDS PARTICIPATING IN THE FOOD STAMP PROGRAM?

In light of the Parade Magazine advertisement and the subsequent repetition of its message by numerous public officials, many legislators and their constituents are expressing the concern that the Food Stamp Program (hereinafter FSP) is missing its target. Are the middle class participating in the FSP to any significant degree? Are FSP participants, in fact, in need of such assistance?

Despite statements to the contrary by Cabinet members, media ads, and Senator Buckley, FSP participants are, in large part, the

"poorest of the poor" and not middle class. This is shown in the USDA study prepared pursuant to Senate Resolution 58 and released this summer.

The USDA report shows that 92 percent of all participants are in households with after-tax incomes (but before FSP deductions) of under $7,000 a year; 95 percent in households with incomes under $8,000 a year; 97 percent are in households with incomes under $9,000 a year; and, for statistical purposes, 100 percent are in households with incomes under $10,000 a year. In addition, 45 percent—or nearly half—live in households with incomes under $3,000 a year.

What makes these figures especially striking is the fact, as documented by USDA's participant profiles, that 49 percent of all food stamp participants live in households of five or more persons. Thus, even though large households make up half the food stamp caseload, there still are very few food stamp households with incomes over $6,000 a year, and virtually none with incomes over $10,000 a year.

Indeed, the USDA report—based on its national survey of FSP participants—shows that 97 percent of the households of 7 in the program have incomes under $8,400 a year, and 91 percent of the households of 10 have incomes under $9,600 a year.

Another way to look at this is to see what percentage of families in each income bracket do actually participate in the FSP. Here again, the USDA report demonstrates that food stamps are overwhelmingly used by low-income families. The report shows that 72 percent of those households with incomes below $2,000 a year receive food stamps, and 51 percent of those with incomes under $4,000 a year get stamps. However, only 7 percent of the households in the $5,000 to $10,000 range get food stamps. The percentage of families above $10,000 who get food stamps is, for statistical purposes, zero.

One further set of statistics is especially useful. These figures deal with the incomes of those four-person households which do use food stamps. The USDA report shows that 93.5 percent of all four-person FSP households have incomes under $6,000 a year. 97 percent have incomes under $7,200 a year. The income of the average four-person family on food stamps is $3,456 a year.

In addition, when we look at four-person families which use food stamps—in relation to all four-person families in the U.S.—we find that only the very poor participate in the FSP in any significant numbers. 58 percent of all four-person households with incomes under $3,000 a year participate in the FSP. But in the $6,000 to $10,000 a year range, only 1.6 percent of all four-person households participate in the program. The following chart shows the percentage of four-person families, by $1,000 brackets, in this income range who do receive food stamps:

Income range and percentage of a four-person families in this income range getting food stamps

$6,000 to $7,000	2.7
$7,000 to $8,000	1.3
$8,000 to $9,000	.9
$9,000 to $10,000	.2
$10,000 and up	0

(NOTE.—Much of this material is from the Senate Nutrition Committee's "Who Gets Food Stamps" and testimony before that Committee by Robert Greenstein of the Community Nutrition Institute.)

These statistics show why the USDA report concluded that: "Participants tend to be the poorest of the poor" and that "highest rates of participation are shown by the extremely needy."

One reason for the above statistics and conclusions is based on the construction of the food stamp benefit structure. The higher a household's net income, the more the household has to pay for its stamps and, thus, the smaller the benefit it receives. Households of four that just manage to qualify for food stamps have to pay out $138 in cash each month to get back $162 in stamps. As the USDA report notes: "At the top of eligibility, the program is designed to be only marginally attractive. For this reason, participation is relatively high at the lowest income levels and low at the highest levels."

Therefore, while not all the households using food stamps are below the poverty level ($5,010 for a family of four), virtually all of them are in need of such nutrition assistance. The strength of the program is that it is not limited only to the poorest of the poor (even though they are the ones who most participate), and that it is more than solely a supplement to welfare grants. The program augments participating families' food purchasing power. It measures disposable income for food and, as such, does not penalize the low income working family who might well have the same income available for food as the family forced to live on a welfare grant.

Thus, the program works because it includes in its sphere of food assistance those households needing the help. It does not help all those eligible, but it has become an effective way of getting more food into the hands of those most in need.

GREEK AMERICANS' RIGHTS DEFENDED

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. WAXMAN. Mr. Speaker, when the issue of lifting the U.S. embargo on arms to Turkey came before the House, Americans of Greek background were deeply involved. Greek-American Congressmen and citizens worked to maintain the embargo. Unfortunately, numerous prominent people in both Government and the mass media raised ugly charges of "dual loyalties." In the course of public discussion, the patriotism of Greek-Americans was impugned and their rights to full participation in discussions of foreign policy in the eastern Mediterranean were called into play.

On August 10, 1975, I addressed a gathering at St. Sophia Greek Orthodox Church in Los Angeles. My remarks focused on the "dual loyalty" issue. I should like to share with my colleagues the ideas I presented on that occasion:

SPEECH AT GREEK ORTHODOX CHURCH

I want to thank you for inviting me to join you at this important gathering. Of course, this is a solemn occasion. You have come together not to celebrate, but rather to mark, with much sorrow, the first anniversary of the major Turkish military activity on Cyprus. I hope it will not be too long before we are together again at a happier event.

Recently, Congress was presented with a Ford Administration proposal to end the arms embargo on Turkey. As you know, last year, in response to Turkish aggression in Cyprus, the United States imposed the embargo on arms shipment. The vote in the House of Representatives on this controversial matter was extremely close. I voted against renewed arms shipment to Turkey.

Although I am a new member of Congress, I have served in the State Legislature and have seen lobbying efforts before. But I must inform you that they were nothing compared to the pressure exerted to get Congress to lift the arms embargo on Turkey. There were invitations to meet with the President at the White House as well as special briefings by Secretary of State Kissinger. I had the extraordinary experience of having the Turkish Ambassador to the U.S. meet with me personally to plead for the lifting of the embargo—an unheard of lobbying by a representative of another government.

TURKEY VIOLATED U.S. LAW

My primary reason for my vote was my strong feeling that the Turkish government must face the full consequences of having violated U.S. law. The Turks used American supplied equipment in their invasion of Cyprus. They knew full well that the equipment was supplied to them for defensive purposes only. American arms to Turkey has never been intended for use on Cyprus on in any other aggressive context. Our military alliance with Turkey has been based solely on the common concern of the NATO partners with the threat of the Soviet Union.

Rather than discuss the details of the events in Cyprus or the history which led up to those events, I decided to focus our attention on the role of Americans with strong ethnic roots in the conduct of our foreign policy.

Many of the proponents of renewed arms sales to Turkey referred repeatedly to a "Greek lobby" which they accused of illegitimately "manipulating" American foreign policy.

SHOCKING SLURS AGAINST GREEK-AMERICANS

Most shocking of all were the comments made by no less a figure than Senator Majority Leader Mike Mansfield. In his recent appearance on "Meet the Press", Mansfield implied that Greek-Americans were guilty of "dual loyalties". When asked if he was concerned about the ethnic factor in the attitudes of such groups as Greek-Americans and Jewish Americans, Mansfield replied, "Yes, because I can only give my loyalty to one country and that happens to be the United States of America. My father and mother were immigrants from Ireland, but my loyalty is not to Ireland—it is to this country—unquestioned."

The charge of "dual loyalties" has not been leveled against Greek-Americans very frequently. I am sure many Greek-Americans were hurt and angered by the aspersions cast on their loyalty to the United States.

ONLY "OLD AMERICANS" FIT TO LEAD?

As a Jew, the so-called dual loyalties problem is most familiar to me. As far back as elemetnary school, I can recall being asked which side I'd fight on if Israel went to war against the United States. Behind this childish jibe lies the same logic on which Senator Mansfield's charges are built. The assumption is that people with sentiments, feelings, knowledge and interest in other parts of the world are second-class Americans whose patriotism and loyalty must be questioned. It is also assumed that the "best Americans"—the people who ought to be allowed to run our public affairs—are those Americans whose ancestors came here so long ago that nobody is quite sure when or from where.

I am in total disagreement with this point of view. Jewish concern about Israel or Greek concern about events in Cyprus are every bit as legitimate as the concerns of union members about labor laws, the concerns of blacks about civil rights, or even oceanfront businessmen's anxieties about the shark problem.

ETHNIC PERSPECTIVE VALUABLE

It is the most fundamental principal of democracy that people with the most knowledge and strongest feelings become involved in any given issue. Who can speak more legitimately about problems in the eastern Mediterranean than Greek Americans with cultural and ancestral roots in that part of the world? Am I to ignore the remarks of my colleagues, Congressmen John Brademas and Paul Sarbanes, just because they are Greek-Americans whose interest in the problems of Cyprus far predates last year's event?

GREEK-AMERICAN FRIENDSHIP AFFIRMED

The Greek community of Cyprus and Greece herself, are not at war with the United States. The very opposite is true. They enjoy and value the friendship and support of the American people and the American government. The same can be said for Israel. When I got old enough to figure some of these things out, I started to tell the playground bullies who asked which side I would take in the war between Israel and the United States that if they weren't so dumb, they'd realize that Israel and the United States were fighting on the same side.

Paul Sarbanes, John Brademas, and the other Greek-Americans who have been involved in "lobbying" against arms to Turkey are as patriotic, loyal, and dedicated to America's best interest as Senator Mansfield or any other American. Nor do I feel that I or any Jews in Congress, because of our concern for Israel, are second rate Americans.

VOTE ON ARMS EMBARGO WON ON THE MERITS

I think it is the duty of every ethnic American to bring to our national undertakings the sensitivities and concerns which only they have. After all, nobody is suggesting a Committee of Greek Congressmen make U.S. foreign policy. If the so-called Greek lobby were wrong in terms of American interests, they would not have gotten 223 votes in the House of Representatives for their position. No matter how cynical or paranoid a man is, he must admit that the Greek minority is too small and too inconsequential politically, to be able to win a major foreign policy battle unless their arguments were valid and solid, strictly from a U.S. standpoint.

I am proud of how hard American Jews have worked in building sympathy for Israel both in Congress and among the general public. I was proud to have been an ally of Greek Americans in the battle over arms to Turkey. When an ethnic minority is wrong on the issues, we can be certain we will be rebuffed by a suspicious and hostile majority. When we succeed—far more often than not—it will be due not merely to political pressure, but also to our having convinced many, many non-ethnics and people with ethnicity different from our own, of the justice of our cause.

I want leaders of the Greek community as well as Greek-American constituents to know how anxious I am to both represent and serve you. I want you to know that in me you have a congressman who deeply admires and respects Americans who maintain ties with the culture and land of their forebears.

UNITED STATES-AFRICA POLICY AND RHODESIAN SANCTIONS

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. DIGGS. Mr. Speaker, the last full week in September saw two contradictory developments with respect to our country's relations with Africa. In a speech before the Organization of African Unity, OAU, Foreign Ministers on September 23, Secretary of State Kissinger spelled out current U.S. policy toward Africa. He made the following statement on Rhodesian sanctions:

The United States intends to adhere scrupulously to the UN's economic sanctions against Rhodesia. President Ford and his entire Administration continue to urge repeal of the Byrd Amendment and expects this will be accomplished during the current session of Congress.

However, once again, the House of Representatives failed to repeal the Byrd amendment on Rhodesian chrome. Obviously, the administration, despite its conciliatory gesture at the U.N. special session, had done little to overcome the anti-U.N. and anti-Third World sentiments which it had helped nurture with the assistance of the mass communications media—and which contributed to the House's continuing defiance of the U.N. on the issue of Rhodesian sanctions.

For the benefit of greater understanding of overall United States-Africa policy and of the impact of the September 25 vote against repealing the Byrd amendment, I would like to submit for the RECORD the full text of Secretary of State Kissinger's speech before the OAU Foreign Ministers, followed by a commentary on the chrome vote by columnist Anthony Lewis which appeared in the September 29 issue of the New York Times:

ORGANIZATION OF AFRICAN UNITY

(By Secretary of State Kissinger)

Some fifteen years ago Prime Minister Harold Macmillan added a new and durable phrase to the English language when, in speaking of Africa, he said, "The wind of change is blowing through the continent." When the twentieth century opened, western colonialism stood at its zenith. Today, only the barest vestiges of western colonialism remain in Africa. Never before in history has so revolutionary a reversal occurred with such rapidity. Morally and politically, the spread of national independence has already transformed world institutions and the nature of international affairs. Today we feel the winds of change blowing from Africa—and they will affect the course we set for generations to come.

The first official function at which I presided as Secretary of State two years ago was a luncheon here for the representatives of the Organization of African Unity. Since then the world has undergone continuing change—as much in Africa as anywhere else. In Africa, the Portuguese African colonial empire has come to an end. The effects of that on southern Africa are being felt in Rhodesia, Namibia and South Africa, and their full course has yet to be run. Also of great importance, major changes have taken place in the international economy, as reflected in the recent Special Session. The developing nations of Africa, Asia and Latin America are claiming more control over their economic destiny and a greater share in global prosperity.

Africa continues to face enormous problems. The trials of economic development, exacerbated by the problems of the world economy and the exorbitant rises in the price of oil, continue to pose challenges for African nations, despite the progress they have made. The arbitrary boundaries established by the colonial powers left many African countries vulnerable to ethnic strife. Social change and development—as it succeeds—challenges national unity and cultural identity far more profoundly than other nations have experienced. The job of nation-building in Africa is formidable indeed.

The people of this country wish you well, and offer you our help.

There is growing interest in America in African issues and African problems. Traditionally America has been dedicated to independence and self-determination and to the rights of man. We were strong advocates of decolonization since the beginning of the postwar period. The special identification of black Americans with their African heritage intensifies our belief, and our will to demonstrate, that men of all races can live and prosper together.

Because of these ties, and with the economic interdependence of Africa and America becoming increasingly obvious, Americans owe it to ourselves and to Africa to define clearly and to state candidly our policy toward the continent of Africa.

Therefore, today I would like to go beyond the usual toast for occasions such as this and talk with you informally about some of the important issues in relations between the United States and Africa.

America has three major concerns:

That Africa attain prosperity for its people and become a strong participant in the economic order—an economic partner with a growing stake in the international system;

That self-determination, racial justice and human rights spread to all of Africa;

And that the continent be free of great power rivalry or conflict.

The United States seeks neither military allies nor ideological confrontation in Africa. As Adlai Stevenson once said here at the United Nations, "Africa for Africans means Africa for Africans, and not Africa as a hunting ground for alien ambitions."

ECONOMIC DEVELOPMENT

The people of Africa entered the era of independence with high aspirations. Economic development has become both their highest national goal and a symbol of their drive for a more significant role in world affairs.

Much progress has been made. National incomes in Africa have risen rapidly in the last two decades. Africa's overall trade has increased about fourfold in the last 15 years.

But development hopes in Africa have too often been crushed by the cycles of natural disasters and the shocks of worldwide economic instability. No continent suffers so cruelly when crops fail for lack of rain. No continent endures a heavier burden when prices of primary commodities fluctuate violently in response to shifts in the world economy.

The United States has set as one of the fundamental goals of its foreign policy to help lay the foundations for a new era of international cooperation embracing developed and developing countries in an open and durable international system. Africa has an important role in this international system. Our mutual success will determine the nature of political and economic relations in the world over the remainder of this century.

The United States offered a comprehensive practical approach to economic development at the Seventh Special Session. My Government was pleased that our suggestions formed the basis for a highly significant consensus among the developed and developing countries, which we hope will mark the end of a period of fruitless confrontation and misunderstanding.

Our major aims are:

To make developing countries more secure against drastic economic difficulties arising from cyclical declines in export earnings and in food production;

To accelerate economic growth by improving their access to capital, technology, and management skills;

To provide special treatment to improve their opportunities in trading relations;

To make commodity markets function more smoothly and beneficially for both producers and consumers; and

To devote special attention to the urgent needs of the poorest countries.

Our proposals apply to all developing countries. But many of them are particularly appropriate to Africa:

Sixteen of the world's twenty-five least developed countries are in Africa. Our bilateral assistance program is increasingly concentrated on the least developed. Above and beyond our emergency assistance to the

Sahelian drought area, our regular aid appropriation for Africa this fiscal year reflects an increase of about 60 percent over last year.

We expect African countries to benefit particularly from the Development Security Facility which we propose to create in the International Monetary Fund to counter drastic shortfalls in export earnings for economies which are particularly dependent on a few, highly volatile primary commodities.

But stabilizing earnings is not enough. The United States supports measures to improve markets for individual commodities—including coffee, cocoa, and copper—which are so important to Africa.

We also propose to double our bilateral assistance to expand agricultural production.

We will raise our proposed contribution to the African Development Fund to $25 million.

In addition to the proposals we made to the United Nations, the United States has attempted to mobilize international support for a coordinated, long-term development program to provide basic economic security for the Sahelian countries. We have supported this effort already with massive assistance of more than $100 million.

TRADE AND INVESTMENT

The key to sustaining development over the long run is expanded trade and investment. Growing exports of manufactured as well as primary products generate the foreign exchange needed to buy the imports to fuel further development. The United States provides a large and growing market for the products of African countries. Our trade with Africa had grown to about $8 billion in 1974, almost eight times its volume in 1960. The rapid implementation of the United States generalized system of preferences should spell even greater expansion in the years to come.

American private investment has been a valuable source of the capital, management, and technology that are essential to African development. Direct United States investment in Africa has increased more than four times since 1960.

We are encouraged by these striking increases in the magnitude and relative importance of trade and investment relationships between the United States and independent black Africa. We expect this trend to continue, and we will do what we can to assure that it does so.

SOUTHERN AFRICA

Economic progress is of utmost importance to Africa, but at the same time, the political challenges of the continent, particularly the issue of Southern Africa, summon the urgent attention of the world community.

We believe that these problems can and must be solved. They should be solved peacefully. We are mindful of the Lusaka Manifesto, which combines a commitment to human dignity and equality with a clear understanding of what is a realistic and hopeful approach to this profound challenge.

No problem is more complex than the racial issues in South Africa itself. My country's convictions on apartheid are well known. It is contrary to all we believe in and stand for. The United States position has been long-standing, and consistent. We note that the wind of change continues to blow, inexorably. The signs of change that are visible in South Africa must be encouraged and accelerated. We are pleased to see the constructive measures taken by African governments to promote better relations and peaceful change. We believe change is inevitable, and efforts to promote a progressive and peaceful evolution will have our support.

The United States also continues to support the International Court of Justice's advisory opinion of 1971 affirming the General Assembly's 1966 decision which terminated the South African mandate over Namibia. The United States will take no steps that would legitimize South Africa's administration of the territory. We repeatedly have protested violations of the rights of black Namibians by the authorities there.

As I indicated in my address yesterday, we believe that all Namibians should be given the opportunity to express their views freely, and under UN supervision, on the political and constitutional structure of their country. We have expressed this view consistently to South Africa. We will continue to do so. We welcome public statements of South African leaders that they accept the principle of independence and self-determination for Namibia.

For the past decade, Rhodesia has been a major international issue. The maintenance by force of an illegal regime based on white supremacy is of deep concern to African governments and to my Government. Over the past year, the United States has watched with sympathy the attempt to negotiate a peaceful solution in Rhodesia. We have noted, in particular, the statesmanlike efforts of the leaders of African countries—especially President Kaunda, Prime Minister Vorster, President Khama, President Nyerere and President Machel—to avert violence and bloodshed. We would encourage them to continue in their difficult task of bringing the parties together.

The United States intends to adhere scrupulously to the UN's economic sanctions against Rhodesia. President Ford and his entire Administration continue to urge repeal of the Byrd Amendment and expects this will be accomplished during the current session of the Congress.

UNIVERSALITY

The United Nations has tried in various ways to exert a positive influence on change in Southern Africa. I should add, however, that we have opposed, and will continue to oppose, actions that are incompatible with the UN Charter. In particular, we will not retreat from our opposition to the expulsion of any member of the United Nations. We believe this would be contrary to the best interests and effectiveness of this Organization. Universality is a fundamental principle that we stand for in this body. The Charter's provisions for members' full exercise of their prerogatives are another. We do not believe that these principles can be ignored in one case and applied in another. This is why, despite our disapproval of South Africa's policies, we do not believe this Organization can afford to start down the path of excluding members because of criticism of their domestic policies.

FORMER PORTUGUESE TERRITORIES

Since we last sat down together, three more African nations—Mozambique, Sao Tome and Principe, and Cape Verde—have become independent. We welcome them to the United Nations family and we look forward to establishing regular relations with them. We stand ready to assist in their economic development.

But I want to say a cautionary word about Angola. Events in Angola have taken a distressing turn, with widespread violence. We are most alarmed at the interference of extra-continental powers who do not wish Africa well, and whose involvement is inconsistent with the promise of true independence. We believe a fair and peaceful solution must be negotiated, giving all groups representing the Angolan people a fair role in its future.

THE SPIRIT OF COOPERATION

Ladies and Gentlemen, Colleagues:

Twenty years ago there were only three independent African States. Today you comprise more than one-third of the membership of the United Nations. Africa's numbers and resources and the energies of its peoples have given Africa a strong and important role in world affairs.

We do not expect you to be in concert with us on all international issues. We ask only that as we respect your interests, are mindful of your rights and sympathize with your concerns, you give us the same consideration. Let us base our relations on mutual respect. Let us address our differences openly and as friends, in the recognition that only by cooperation can we achieve the aspirations of our peoples.

Let us be guided by the flexibility and the spirit of conciliation which were so evident during the Special Session. Let us replace the sterility of confrontation with the promise inherent in our collaboration. Let us search diligently for areas of agreements, and strive to overcome any misunderstandings.

Strengthening the relationship between the United States and Africa is a major objective of American policy. We support your self-determination, sovereignty and territorial integrity. We want to help you in your efforts to develop your economies and improve the well being of your people. Like yours, our belief in racial justice is unalterable.

The nations of Africa will have a major part in determining whether this will come to pass. America has many ties to Africa and a deep commitment to its future.

It is my profound hope that this session of the General Assembly will be remembered as a time when we began to come together as truly united nations, a time when we earnestly searched for reasons to agree, a time when the interdependence of mankind began to be fully understood.

Ladies and gentlemen, please raise your glasses with me in a toast to the future of Africa, the Organization of African Unity, and the United Nations in a world of peace.

[From the New York Times, Sept. 29, 1975]

FOR WHICH WE STAND

(By Anthony Lewis)

BOSTON, September 28.—The House of Representatives has been reformed: So we read earlier this year. New members have driven the dinosaurs from power and brought a spirit of reason into that once cynical place. The House can at last play its rightful part in making national policy.

Anyone who believes that should look at the Congressional Record for last Thursday, Sept. 25. The House that day debated a bill to repeal an existing law, the so-called Byrd Amendment that requires the United States to buy Rhodesian chrome in violation of United Nations sanctions. The repeal bill lost, 209 to 187.

It was a debate out of what we might have thought was some primitive past. Xenophobia and racism were the inarticulate premises, distortion and bluster the method. The subject was not one to make headlines, but the level of the argument—the contemptible level—told much about the state of the House.

Rhodesia is not a very complicated place to understand. It has a population of 270,000 whites and 5,700,000 black Africans. The tiny white minority has total power. The blacks are barred by law from most of the country's fertile land; few can vote; black workers earn many times less than white. Ian Smith, the Prime Minister who declared Rhodesia independent of Britain 10 years ago, has repeatedly said that the majority will not be allowed to rule "in my lifetime."

A principal opponent of the House bill was Rep. John H. Dent, Democrat of Pennsylvania. He had made a trip to Rhodesia, and he offered his colleagues these profundities:

"His (Ian Smith's) avowed purpose, and we can read this in their constitution if we want to read it, is to educate the blacks in Rhodesia to take over Rhodesia as a government. . . . Is there any person in this room that believes we can have one-man, one-vote, with equality of any kind, when they practice polygamy? . . . It is the only African country before the revolution in that

country that as a part of its economy every black gets paid the same wage as a white."

Rhodesian lobbyists were matched in skill by those for American companies eager to use cheap Rhodesian chrome. The United States has a large chrome stockpile; the Ford Administration had endorsed the bill as consistent with the national security. But the debate was larded with the lobbyists' argument that we would be imperiled if we relied on the main alternative source of chrome, the Soviet Union. Rep. Steven D. Symms, Republican of Idaho, added that the bill would cost American workers "between 2,027,000 to 16,700,000 man-hours as thousands of employes are laid off in the steel industry."

Such arguments would be funny if they had not been made on the winning side of the debate—and if the effects were not likely to be so serious.

It is fair enough to denounce the follies of the United Nations. But we are committed by treaty to observe Security Council resolutions, which after all we have a chance to veto. It will be a little more awkward, from here on, for Pat Moynihan to lecture other U.N. members about their contempt for law and international comity. It is true that awful things have happened in Burundi and Uganda and elsewhere without U.N. sanctions, and true also that sanctions rarely work. But it does not follow that we should stand apart when, for once, the world can agree to do something about a discrete evil. And sanctions are gradually beginning to exert effective pressure for peaceful change in Rhodesia.

The irony is that helping Ian Smith to hold out a little longer will only increase the likelihood of violent change—and damage to Western interests in Rhodesia, in chrome ore and everything else. The South African Government sees that and is desperately trying to arrange a transition to majority rule in Rhodesia. It is more enlightened, more sensible, than the U.S. House of Representatives.

It was especially painful to see some of the names voting Nay on that bill. There were some of the Southerners who were so effective in the Judiciary Committee's impeachment inquiry last year—James Mann, Walter Flowers, Ray Thornton, Caldwell Butler—and two of the Northern Republicans, Hamilton Fish, Jr. and Robert McClory. And two senior New York Democrats, Samuel S. Stratton and James J. Delaney. And a Democrat particularly respected as a lawyer, Richardson Preyer of North Carolina, who in his speech against the bill sounded embarrassed.

Of course the House is not to be judged alone for such a performance. It speaks for the country. Did it reflect us fairly? Is that what we have become after six years of foreign-policy leadership obsessed by power, indifferent to humanity, without scruple of bombs or lives? Or what pressures lead a good man like Richardson Preyer to vote that way?

We should not meddle in another country's affairs, said one Congressman, sounding like Henry Kissinger. But we do meddle, by force and conspiracy. The question is when and how we should express the old American ideals, which still matter to many people in the world.

IMPROVING CONGRESSIONAL OVERSIGHT OF THE CIA

HON. JOSEPH D. EARLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. EARLY. Mr. Speaker, today I voted for the amendment offered by Mr. GIAIMO of Connecticut. This amendment would provide that none of the funds in the Department of Defense appropriations bill be available for the Central Intelligence Agency. This amendment was offered for the purpose of determining sentiment within the House as to whether the CIA ought to be subject to improved congressional oversight. This passage of this amendment would enable Mr. GIAIMO to introduce a second amendment which would reintroduce the budget for the CIA by saying that the CIA budget equaled x number of dollars.

I voted for this amendment in order that we might accept the fiscal responsibility that the Constitution confers upon us. I cite article I, section 9 of the Constitution which states:

> No money shall be drawn from the Treasury but in consequence of appropriation made by law.

Second, the Constitution requires that—

> A regular statement and account of receipts and expenditures of all public monies shall be published from time to time.

The CIA seems to be above the law in this respect; presently it is not required to comply with this constitutional mandate.

Let me address the major objection to improved congressional oversight of the CIA. Critics claim that public disclosure of the CIA budget would be useful to enemy intelligence organizations. I submit, that such disclosure would come as no surprise to any enemies of the United States. The fact of the matter is that the governments of the Peoples Republic of China and the Soviet Union know more about the amount of money spent on the CIA than do the American taxpayers. It has even been indicated by people in the CIA that this is not the primary reason for their objections. The real reason being, they would like to continue as an autonomous agency of the executive branch of Government free from congressional scrutiny. I should also like to point out to those fearful of weakening national security that the Atomic Energy Commission has had its lump sum appropriation printed as a matter of public record for some time. This has not led to the disclosure of national secrets, nor has it endangered the security of this country.

As we all know, there has been quite a bit of controversy in recent months regarding the activities of the CIA. In particular, there has been concern with its domestic activities, which have ranged from keeping files on U.S. citizens to the opening of mail of U.S. Presidents. Much of our knowledge of these activities is derived from the investigations of Watergate. I think we all should have learned from Watergate that nothing is more threatening or dangerous to a democracy than unbridled, unchecked, arrogant power. The publication of the budget does not jeopardize national security, but rather it strengthens it by insuring that Congress, through its oversight functions, can eliminate some of the abuses of power which the agency has been guilty of in the past. These abuses, in my judgment, are far more threatening to our system of government than any line item figure.

Other critics of this amendment have pointed out that countries such as the Soviet Union and Red China do not release the amount that they spend on intelligence activities. This is so obvious I fail to understand why they bring it up. These countries do a number of things differently from us. I, for one, would not encourage other members to look to their example for methods of running a government. Ours is an open society, and we should continue to operate under this system to the maximum, consistent with our true security requirements.

In light of these considerations, I think it's time that the total autonomy of the CIA be brought to an end. There must be accountability for all agencies of the U.S. Government. This amendment is a step toward bringing this agency under effective control both executive and legislative. I support this amendment in order that we might exercise greater congressional scrutiny and oversight of intelligence activities. Thereby, keeping in check abuses of CIA powers, in order that we might better protect the rights of U.S. citizens. If this is, in fact, to be a government of laws, we must put an end to the uncontrolled action of the CIA. The Congress must accept its constitutional responsibility by providing for meaningful oversight of our intelligence agency and by making it accountable to the American taxpayer.

HOW A TOUGH JUDGE HANDLES GUN CRIME

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 2, 1975

Mr. KEMP. Mr. Speaker, the two recent attempts on President Ford's life have occasioned some very deep and searching questions about the quality of our crime control systems across the United States, and about the nature of the crimes themselves.

In the past two decades crime has increased in direct proportion to the growing permissiveness on the part of the courts and the lawmakers, who care more about the welfare of the hardened criminal than the safety of his defenseless victim. Only a fraction of the lawbreakers brought to court today are ever convicted, and thousands more escape trial through legal "loopholes" or technical violations in the original arrest.

Mr. Speaker, it is time we began holding criminals accountable for their actions, as the actions of rational human beings who wilfully violate the rights of decent citizens to live free of fear anywhere in America.

I believe that the best way to stop the rampage of violent crime is to impose a severe deterrent upon the criminal to discourage him from committing the crime in the first place. Presently persons convicted of armed robbery are very often put on probation for a first offense—in effect not punished at all. I believe that we must have mandatory sentences for any crime committed with a firearm, so that potential criminals will think twice before attempting to accost innocent citizens at the point of a gun.

That is why I have cosponsored H.R. 8697, a bill to require that any criminal convicted of using a firearm during the course of a felony be sentenced to a minimum of 2 years in prison for a first offense in addition to whatever penalty the judge shall confer, with the penalties increasing proportionately for every subsequent armed criminal offense and without the chance of a suspended sentence.

Mr. Speaker, last Sunday's Buffalo Courier Express included an article on one man who is already carrying out the intent of this bill with considerable success by imposing obligatory stiff sentences on all crimes committed with the use of a firearm, Judge Oliver Green, Jr., of Bartow, Fla. I would like to enter this article into the RECORD for the benefit of all who believe that mandatory sentences for armed felony, rather than arbitrary gun control, is the most effective deterrent to violent crime:

JUDGE TOUGH ON GUNMEN

(By Pat Leisner)

BARTOW, FLA.—Oliver Green Jr. is a judge with a fancy for guns and an intolerance for misuse of them.

An active member of rifle and pistol clubs, he is known for his collection of 40 to 50 firearms and his stiff sentences for armed wrongdoers.

"I am a gun enthusiast. I consider it my prime hobby," Green said.

"I am disappointed with what people do with guns and I crack down on it. How to deal with the element of people who misuse it is my problem and I deal with it sternly."

Green, 42, frequently sends armed robbers to jail for life when they appear before him in Polk County Circuit Court. It doesn't matter if the weapon used was only a water pistol.

"That's immaterial," said Green. "If a person has a gun and commits a felony, that's fine with me. He's treated as such—even if it's plastic."

Under Florida law, a person can be charged with armed robbery if the victim fears for his life, the judge explained. If the victim believes the weapon is real, the armed robbery charge may apply.

First offenders are shown no mercy and a sentence of probation for a gun-toting stickup man is out of the question. A 10-year minimum is more like it when Green is on the bench.

"I would like to preserve for law-abiding people the right to bear arms in their defense and defense of their home," said the crew-cut father of three daughters. "And I would like to preserve the right of sportsmen. To do this, I feel severe penalties should be dealt to those who misuse firearms."

One man convicted of three armed robberies pulled two life sentences and 50 years. The reason he only got half a century on the third charge was because a visiting judge handled it.

Green worries about the growing use of guns in crime.

"The place is going hog-wild. Look at what happened to President Ford," he said.

If the two accused assassins of Ford were convicted and brought to him for sentencing, Green said, they would be put away for life in a maximum security prison with no hope of ever being free again.

HOUSE OF REPRESENTATIVES—*Friday, October 3, 1975*

The House met at 10 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

He looked for a city which hath foundations, whose builder and maker is God.—Hebrews 11:10.

Almighty Father, we who come from different backgrounds and are members of different groups, lift our hearts unto Thee in this, our morning prayer. Thou art our Father and we are Thy children. Help us to find our oneness in Thee. Forgive the misunderstandings, the suspicions, and the ill will which separate us from one another. Purify our hearts and help us to walk together in the ways of Thy word and in the spirit of true fellowship. In this higher realm of the spirit may we transcend our differences, be ready to share our best thought, and work together for the sake of our country to build on Earth the city of God; in Thy holy name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 9600. An act to rescind certain budget authority recommended in the message of the President of July 26, 1975 (H. Doc. 94-225), transmitted pursuant to the Impoundment Control Act of 1974.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2375. An act to extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for 3 months.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7706. An act to suspend the duty on natural graphite until the close of June 30, 1978.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 7706) entitled "An act to suspend the duty on natural graphite until the close of June 30, 1978," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG, Mr. NELSON, Mr. MONDALE, Mr. HATHAWAY, Mr. CURTIS, Mr. FANNIN, and Mr. HANSEN to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 49) entitled "An act to authorize the Secretary of the Interior to establish on certain public lands of the United States national petroleum reserves the development of which needs to be regulated in a manner consistent with the total energy needs of the Nation, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CANNON, Mr. STENNIS, Mr. SYMINGTON, Mr. NUNN, Mr. GARY W. HART, Mr. JACKSON, Mr. METCALF, Mr. HASKELL, Mr. THURMOND, Mr. WILLIAM L. SCOTT, Mr. TAFT, Mr. HANSEN, and Mr. BARTLETT to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 3979) entitled "An act to authorize appropriations for the Indian Claims Commission for fiscal year 1976," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. METCALF, Mr. ABOUREZK, Mr. MCCLURE, and Mr. BARTLETT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 286. An act to authorize additional judgeships for the U.S. courts of appeals.

PERSONAL EXPLANATION

(Mr. FUQUA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FUQUA. Mr. Speaker, on Thursday, October 2, 1975, because of a long-standing dental appointment, I missed three rollcall votes. I would like the permanent RECORD to show that on rollcall No. 573 I would have voted "no"; on rollcall No. 574 I would have voted "yes"; and on rollcall No. 575 I would have voted "yes."

CONFERENCE REPORT ON H.R. 8070, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—INDEPENDENT AGENCIES APPROPRIATION ACT, 1976

Mr. BOLAND. Mr. Speaker, I call up the conference report on the bill (H.R. 8070) making appropriations for the Department of Housing and Urban Development, and for sundry independent executive agencies, boards, bureaus, commissions, corporations, and offices for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the statement.